

DISENGAGEMENT IN THE SINAI HERBERT KROSNEY

**THE
NATION**

FEBRUARY 9, 1974 50 cents

**NIXISSINGER DIPLOMACY
OR WHO'S MINDING THE STORE?**

Smith Simpson

**POLICE BRUTALITY IN CHICAGO
BAD APPLES ON THE BEAT**

George Bliss

**The Roots of Watergate
Impeachment Is Only a Crossroads**

ARTHUR I. WASKOW

David Rosenthal / Letter from Barcelona

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LETTERS

balance of blame

Cuernavaca, Mexico

DEAR SIR: It's sad to find *The Nation* featuring, along with Dr. Bronowski's marvelous piece, such a misleading account of the tragedy of Guyana ["Guyana: A Dream Deferred" by Thomas J. Spinner, Dec. 31, 1973]. Much of Mr. Skinner's material is accurate, but his Tweedledum and Tweedledee appraisal of Jagan and Burnham . . . does no service toward understanding our tortured hemisphere. As a friend of Jagan, I wouldn't deny his mistakes, nor would he, for he is modest and honest perhaps to a fault in a statesman. The essence of the tragedy lies in the brazenly corrupting interference of the United States to put Burnham in power, and Burnham's equally brazen theft of elections (reaching terroristic proportions in the recent one) to retain it. On these matters Skinner is singularly coy. I suggest that history will reckon the Jagans' contribution to their country, and to the struggle for decent government in the Americas, far in excess of their errors. That it will give Burnham a fairly high place in the roster of American scoundrels. And that the role of the United States in Guyana will go down as one of its vilest crimes. Meanwhile, may God help Guyana and endow well-meaning U.S. visitors there with more sensitivity.

Cedric Belfrage

alcohol therapy

West Des Moines, Iowa

DEAR SIR: A friend of mine has called attention to an editorial, "Moistly Sober," which appeared in the Dec. 10th *Nation*.

I am a member of the Iowa State Senate and also of the State Alcoholism Commission. . . . For four years I engaged in a weekly fifteen-minute recorded dialogue with the head of our State Alcoholism Commission which was syndicated on twenty-eight radio stations. . . .

You have judged Mr. Frawley and the Schick Hospital facilities without making any effort to investigate the merits of their therapy program. The Schick-Shadel Hospital in Seattle has done a great deal of good over a period I think in the neighborhood of thirty years. I met the doctor in charge of that hospital at an international congress on alcoholism held in Dublin, Ireland, a couple of years ago, and I was greatly impressed with his capabilities, dedication and what he had to say about the efficacy of their program. One time I spent a good part of a day and evening actively questioning Mr. Frawley on his various views which followed an expenditure of, I am told, around \$5 million in research. I realize that many people may not recognize the validity of some of his contentions. Nevertheless, he does make a most persuasive case for many of his beliefs which have not as yet received general public recognition.

*William N. Plymat, Chairman of the Board
Preferred Risk Mutual Insurance Company*

praise from the NRA

Washington, D.C.

DEAR SIR: Thanks for sending me a copy of *The Nation*, a magazine that I no longer read very often now that I am no longer a young radical.

Rep. Michael J. Harrington has written a better and more honest anti-gun article than most, although it is hardly either accurate or objective in all respects ["The Politics of Gun Control," *The Nation*, Jan. 12].

His figures on advertising and his assertion regarding the YWCA issue are both mistaken, among other things.

At any rate, the result of his effort is not nearly as warped, distorted, vicious, bigoted, arrogant and inane as many.

*Ashley Halsey, Jr., Editor
The American Rifleman*

EDITORIALS

On the Nixon Front

Two developments on the Nixon front merit comment. On the one side, sentiment in and out of Congress on impeachment has shown little change over the last ten days or two weeks. A section of the electorate fears a possible paralysis of executive leadership during a prolonged impeachment proceeding, and Congress would like to duck the issue if possible. Even so, sentiment has "tilted" slightly toward impeachment. For one thing, support for the President has hit rock bottom; the 27 per cent of the electorate that still supports him is made up of true believers. They would continue to support him if he were caught with both hands in the Treasury tills.

As a consequence, new developments that might be expected to reduce his ratings do not *appear* to have much effect because he has already hit bottom. Nevertheless reports from different regions do show a shift of sentiment. Rep. Jerome Waldie, completing a 150-mile walk to Sacramento as part of his campaign for the Democratic gubernatorial nomination, reports that the Central Valley of California is "no longer Nixon country." He found that disaffection over "the energy crisis" had increased anti-Nixon sentiment. His conclusion: "I have never seen the President in worse shape, politically." In the San Francisco area, Catholic sentiment has turned sharply against the President and for impeachment. Even parts of the South are reported to be "spongy" in their support of the President. So the division over impeachment has not stabilized and future developments—the Hughes-Nixon-Dann-Rebozo connection, new indictments and the grand jury probe of the tapes—may well stiffen the demand for impeachment even if the remaining Nixon loyalists are not affected. Of possible future developments those involving the President's taxes—the back-dated deed to the papers, the false notarial acknowledgment, the unpaid California income taxes—will probably have the greatest impact. April draws near and taxpayers will have Nixon in mind. "I predict," says Rep. Hugh L. Carey (D., N.Y.), "that just as with Vice President Spiro Agnew, taxes will get Nixon before Watergate does." He could be right.

But if sentiment on impeachment has shifted only slightly in recent weeks, the demand for resignation has grown in volume and insistence. Rep. Wilbur Mills's pointed suggestion that Nixon resign must be seen as a major development. Not only is Mills the first Southern Democrat to break ranks but he has great influence in the House, and the fact that he has seen the President's tax returns gives added significance to his statement. In a magnanimous mood, Mills has even suggested that Congress might give the President immunity from criminal prosecution if he were to resign! Southern Democrats in the House, reports Richard L. Lyons in *The Washington Post*, cannot be counted on to vote as a solid bloc against impeachment. Some will, some will not, the more so as most of them feel that they can survive whichever way they vote. But while none seems to favor impeachment now,

quite a number applaud Mills's suggestion that the President should resign. For example, Rep. Jack Brooks (D., Texas) "would feel a lot better about it if the President resigned, although it wouldn't be in the partisan interest of the Democrats if he did." Favoring resignation are such influential figures as Rep. "Tip" O'Neill, the House Majority Leader, and Senators Ribicoff and Pell. In fact, while only one in eight Congressmen is now ready to vote to impeach, twice as many, according to a recent UPI poll, favor resignation.

On the Republican side, private sentiment overwhelmingly favors resignation. The conservatives, meeting in Washington, were of a mind with F. Clifton White who would be pleased if "the President would just go away, just resign." Most conservatives feel, with justification, that the President has betrayed them. Senator Goldwater, who keeps blowing hot and cold, believes that the Republicans will lose 10 percentage points off the top, right across the board, because of Watergate and the President's place as party leader. "The best thing in the world for all Republican candidates," Rep. Joseph J. Maraziti (R., N.J.) told the *Los Angeles Times*, "would be if Nixon were out and Ford were in."

Few Republicans outside the South want Nixon to appear in their districts this year. The GOP women strategists, meeting in Ponte Vedra, Fla., let it be known that the party should not waste any time defending Nixon; as they see it, there will be little demand for his appearance in any campaigns, in any districts. It is significant that sixteen Republicans in the House have announced that they will not run this year, as compared with six Democrats. Rep. Craig Hosmer (R., Calif.) is the ninth GOP veteran to announce that he will not seek re-election. In California, Attorney General Younger and Robert Finch have bowed out of the race for the Republican gubernatorial nomination. Also Vice President Ford's sudden decision to stay aloof from the Watergate transcripts and tapes, after he had delivered a pro-Nixon speech prepared in the White House, is an indication of how wary the Republicans have become. By now the top Republicans should realize that they publicly support the President at the risk of having "another shoe fall" the next day. Even so, resignation hinges on the pressures for impeachment. The President will not resign—nor will he take leave of his office under the Twenty-fifth Amendment—as long as he has any reason to believe that he can "hack it."

At the moment there is much discussion of possible grounds—or the best grounds—for impeachment and of the impeachment process. The discussion is pertinent, but political realities should not be obscured as it continues. A survey conducted by the *Los Angeles Times* (January 20) indicates that while some people have doubts about the wisdom of impeachment, most want to see a full and thorough investigation and want the guilty brought to justice. What they do not seem to understand is that impeachment is the only way that charges against the President can be fully and publicly tested. Nor do they seem to appreciate the grave damage that Watergate has done to this country's international prestige. Enlightened world opinion is shocked that the American public seems to be indifferent to disclosures of flagrant Presi-

IN THIS ISSUE

February 9, 1974

EDITORIALS

162

ARTICLES

- 166 Disengagement from Hatred:
Shadow of Reality in the Sinai *Herbert Krosney*
- 168 Nixissinger Diplomacy:
Or Who's Minding the Store? *Smith Simpson*
- 171 Police Brutality in Chicago:
Bad Apples on the Beat *George Bliss*
- 174 The Roots of Watergate:
Impeachment Is Only a Crossroads *Arthur I. Waskow*
- 179 Alien Discrimination:
The Case of a Mexican Seamstress *Marvin M. Karpatkin*

BOOKS & THE ARTS

- 181 Letter from Barcelona *David Rosenthal*
- 182 In Answer (poem) *Diana Der Hovanessian*
- 183 Eiland: Oriental Rugs *Burton Bendow*
- 184 Vermont (poem) *Philip Booth*
- 185 The Perils of Progress *Robert Leiter*
- 186 Deloria: God Is Red *George H. Frein*
- 187 Theatre *Harold Clurman*
- 188 Architecture *Jane Holtz Kay*
- 189 Art *Lawrence Alloway*
- 190 Our Sons, Our Sons (poem) *Martha Friedberg*

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dential misconduct. Many Europeans have the impression that the general opinion here is that Nixon's main crime was to be found out.

Of still greater importance is the point, made by Donald L. Horowitz of the Brookings Institution (in an article in the *Los Angeles Times*), that, given what is now known, if impeachment is not brought to a vote in the House, then impeachment as a remedy against executive wrongdoing may well lapse into desuetude, "discredited as cumbersome, slow and unworkable." That is not what the vast majority wants or intends. But what this majority must understand is that the framers of the Constitution had no intention of making criminality the standard when they wrote the impeachment clause. They surely did not intend that the President could be impeached for drunk driving or passing a bad check, but not for corruption in office. Impeachment was a weapon to prevent tyranny, corruption and faithlessness in office; sometimes these offenses might be criminal, sometimes not. The fact is, as Mr. Horowitz notes, that a President should be removable if "the totality of his offenses constitutes a breach of the mores of his office, even if each offense, considered separately, might not be enough." In the charges against Nixon more is involved than the fate of an incumbent President or the consequences of a shift in Executive leadership. Impeachment, the only Constitutional remedy against gross Presidential misconduct, is itself at stake.

Two Wars

They are a world apart, both literally and in character. In Southeast Asia, a year after "peace with honor" was concluded in Paris, the war still rages. American troops and flyers are no longer involved out there, North Vietnam is not being bombed, the G.I.s held by the enemy are home again (though the MIAs have not been accounted for) and the folks who were home all along pay as little attention to Indochina as to the American astronauts circling the earth hour after hour, week after week. For the Vietnamese the changes are less pronounced. As Frances Fitzgerald puts it (*The New York Times*): "Whereas a year ago Vietnamese were dying in military operations, they are dying today in cease-fire violations"—58,000 in 1973 by a late count.

Even for Americans, the differences are not so great economically. "A wholly owned American subsidiary," David K. Shieler calls South Vietnam (*The New York Times*). The total American subsidy budgeted for fiscal 1974 stands at \$1.58 billion as of the end of January, of which \$813 million is military aid. But the Pentagon plans to ask Congress for supplementary appropriations, and since Congress is as loath as President Nixon to be held responsible for losing the war in the end, the American taxpayer may find himself shelling out a round \$2 billion during the upcoming fiscal year.

Cambodia is a disaster area. The Lon Nol government—to use the term loosely—cannot even prevent the Sihanouk troops from shelling Phnom Penh at will. What the insurgents gain by killing their own people is difficult to understand; presumably they are proving that Lon Nol's army cannot protect them.

American newsmen are far worse off in South Vietnam than they were when the war was at its peak of American participation. Not that reporting was easy then, but it was possible, as David Halberstam and others proved. Now Graham A. Martin, the American Ambassador, is a career diplomat so firmly committed to Nguyen Van Thieu that, according to James M. Markham of *The New York Times*, Thieu and his aides seem to consider him their strongest lobbyist in Washington. (On January 29, the *Times* reported that Markham was arrested when he returned to Saigon from a week in Vietcong territory.) Between Thieu and Martin, American correspondents are barred from telling any but the Thieu side of the continuing war; to talk to the Vietcong or the North Vietnamese borders on treason to the United States.

In short, the war in Southeast Asia, from the standpoint both of the peoples there and of American interests, is the messiest of messes, with little prospect for improvement unless Thieu can be overthrown, and even then nothing is certain.

In the other war, that in the Middle East, certainty is likewise absent, but hope is not. The anniversary of the Paris agreement on Vietnam found the principal belligerents in the Middle East behaving, for the moment, as sensibly as belligerents can be expected to behave while extricating themselves from a contest as fruitless as it was costly. The armies are disengaging, in some cases at least, with every appearance of good will. Who could have imagined, three years or three months ago, grinning Israeli soldiers shaking hands with grinning Egyptian soldiers and civilians, taking leave of one another like old friends?

The Suez Canal will probably be reopened. Financially this may not benefit the Egyptians, since that most benevolent of monarchs, King Faisal of Saudi Arabia, has been reimbursing Sadat for lost canal tolls (about \$250 million a year); but the symbolic effect promises to be significant, and there will be practical advantages too—for Japan, among others. The Israelis were wise to abandon the sterile policy of holding on to all their territorial gains of 1967. Above all, the U.N. has played a significant role in the settlement to date (as it was not given a chance to do in Vietnam) and it is to be hoped that the low point in its prestige is now behind it.

In such situations everything is precarious, but Dr. Kissinger may discern some light at the end of the Eastern tunnel; if so, he can claim some credit. The Western tunnel remains as dark as ever; and it is on the debit side of the Kissinger ledger.

Let 'Em Eat Grass

People are dying right now in India, Bangladesh and sub-Saharan Africa of malnutrition and its related scourges; sub-Sahara especially is on the verge of mass starvation. President Nixon proposed action by the U.S. Congress to aid these and others of the poorest countries through the World Bank's International Development Association. The House killed the bill by 248 to 155, with 108 Democrats voting for a measure of relief and 118 against; only forty-seven Republicans supported Mr. Nixon; 130 voted against him and the millions who are

within weeks or months of starvation. Robert S. McNamara, president of the World Bank, has issued a rare public protest against this action by the House, which contrasts with the willingness of other industrialized nations as a group to increase their "soft" loans from 40 per cent to 66⅔ per cent of the total aid, enabling the United States to reduce its contribution from 60 per cent to 33⅓ per cent.

This action, not only heartless but stupid, is taken while the United States is contributing a smaller percentage of its gross national product than are fourteen of the sixteen most prosperous countries, and while we are still contributing at least \$1 billion annually to keep Nguyen Van Thieu in office in South Vietnam. To add to the outrage, inflation has reduced the value of the World Bank's soft loans by 30 per cent in the past few years. Worse, the whole structure of international aid is endangered, since all the commitments are conditioned on other nations meeting their commitments.

For a change, media like *The Nation*, which detest Mr. Nixon for his demeaning of the Presidency, can say a good word for him, although his support of the aid measure was only lukewarm. Mr. McNamara, Dr. Kissinger and Treasury Secretary Shultz were much more vehement. They are now trying to revive the aid measure by action in the Senate. A barrage of protest fired by enlightened citizens at their Representatives would help.

Project 'Cointelpros'

Thanks to the enterprise of Carl Stern of NBC News it is now known that on May 10, 1968, the late J. Edgar Hoover ordered a broad program of counterintelligence, espionage, surveillance and *agent provocateur* activity against the New Left—a program at least as dangerous as the Nixon-Huston plan, which Hoover had piously resisted. The project, christened "Cointelpros" and rated top secret within the FBI, was aimed at "disrupting the organized activity" of New Left groups. That *agents provocateurs* were to be used is evident from the directives Hoover issued. Not long ago, the federal government admitted that it conducted "electronic surveillance" of Socialist Workers Party members from 1945 to 1963 and that the FBI operated a program to disrupt the party from 1961 to 1969. Still more recently, the public learned that the FBI maintained a "subversive" file on a 16-year-old New Jersey high school student who had written a letter of inquiry, as part of a social studies assignment, to the Socialist Workers Party.

On September 28, 1971, Hoover abruptly discontinued "Cointelpros," three days after the late Rep. Hale Boggs accused him of employing "secret police tactics." Boggs said that his telephone had been tapped; Hoover denied it. However, Boggs was House Majority Leader at the time and Hoover could not take his sharp attacks lightly. Jack Nelson quotes Boggs in the *Los Angeles Times* (December 8): Among other serious allegations was one that the FBI "had infiltrated college campuses, labor unions, black organizations, church organizations—that in many cases, they had employed the tactics of secret police in Russia and in Germany. . . . The director [Hoover] doesn't seem to want to deal with these allega-

tions. He just conveniently ignores them." All Stern was able to establish was that the program had been initiated on May 10, 1968, and terminated on September 20, 1971. It is not known how much money was spent between these dates or for precisely what purposes. It would be interesting to know how many informers were employed and what *provocateur* initiatives they took. (It should be noted that there is no evidence that Ramsey Clark, then Attorney General, knew of this project.)

Against this background, the proposals by Clarence M. Kelley, the new FBI director, to give the bureau a limited jurisdiction in the field of domestic counterintelligence should be closely scrutinized. Before it even considers such a proposal, Congress should find out what exactly was done during the "Cointelpros" period, to what groups, with what consequences, at what cost.

Carl Stern is to be congratulated and so is NBC for letting him pursue this investigation. They have proved that the Freedom of Information Act can be made to work when pressure is applied. There is an enormous amount of information which the media and public are entitled to have but which is being withheld for quite arbitrary reasons that have nothing to do with "national security." Court actions can, under the Act, force disclosure of much of this vital intelligence. For example, one of the networks or big dailies should bring an action to force release of the Robert Kennedy-Allen Dulles-Maxwell Taylor assessment of the Bay of Pigs fiasco. Publication of that report now could not possibly endanger national security; it could only enhance it.

Manslaughter by Truck

On January 15, the *Riverside (Calif.) Press* carried a big story. A speeding bus had gone out of control at an intersection south of Blythe. The driver had swung too fast into a right turn and plunged into a drainage ditch. Nineteen people were killed and twenty-seven injured, five or six seriously. It was a farm labor bus, and the victims were Mexicans en route to work at a lettuce field owned by High and Mighty Farms. According to the *Riverside* paper, the vehicle was one of several owned by Jesse Ayala, a labor contractor. The dead and injured were "green carders," Mexican nationals who carry work permits issued by the U.S. Border Patrol.

This batch had come from Mexicali, just across the border, about 150 miles by air from *Riverside*. The bus must have picked them up during the night; between 5:30 A.M. and 6 A.M. they stopped at a coffee shop for breakfast, and the crash occurred at about 6:45.

All *The Nation* knows about this particular accident is what the *Riverside Press* reported: Sgt. W.B. Gansberg of the highway patrol said the bus was going "in excess" of 40 mph in a 20 mph zone. But accidents of this sort have been routine occurrences in California, Texas, New Jersey, Michigan—wherever the big farms flourish. *Ill Fares the Land* by Carey McWilliams, published in 1942, discusses the general farm labor situation in California and the mode of worker transportation. In one of the accidents McWilliams wrote about more than thirty years ago, sixty Mexican tomato pickers were scattered for a hundred yards along a highway near Stock-

ton, Calif.; twenty-nine had to be treated for injuries. Another accident involved forty-four Mexicans who were in the back of a truck, covered by a tarpaulin. Of the twenty-nine dead, eleven were children under the age of 16. So what happened near Blythe differed from some of the other smash-ups over the years only in that these Mexicans were commuters, traveling legally to and from work across the border daily.

Fatalities are an inevitable part of the migrant labor pattern. Most of the trucks are decrepit, mechanically hazardous. The Blythe case involved a bus, but many of the vehicles are not meant to carry passengers. The driver is usually a labor contractor, possibly in default on payments for the vehicle and skidding around on back roads to keep ahead of the sheriff. Much of the driving is at night and speed is worth money. The owner may not be properly licensed as a labor contractor; he may have illegal clients hidden in the vehicle.

There is a remedy, if anybody cares enough. Trucks carrying more than some minimal number of workers should be licensed for intrastate and interstate passenger transportation. The equipment should be up to the standard (none too high) of school busses and scheduled passenger busses. The vehicles should carry full liability insurance, especially since workmen's compensation probably does not apply when crews are being transported from one employer to another. And the highway patrol should be particularly vigilant for violations in the case of these vehicles.

The Stupid Embargo

Whether the United States likes it or not, the Cuban trade embargo is ending, without fanfare or negotiations.

DISENGAGEMENT FROM HATRED

Shadow of Reality in the Sinai

HERBERT KROSNEY

Jerusalem

One of the first great steps toward peace in the Middle East has been taken in recent days with the signing by Israel and Egypt of the disengagement accord. It is a step treated here with caution, skepticism and sometimes outright opposition.

The tactical advantage for Israel is considerable, if one takes the word "tactical" in a nonmilitary as well as military sense. Israel, even while losing its excellent attacking position, will once again have lines that can be maintained with a minimal number of troops (say 20,000 as opposed to more than 100,000 needed for the fairly extensive bridgehead on the western side of the Canal). The Israeli economy, working at only 70 per cent of efficiency, can be restored to normal working order or close to it.

Militarily, Israel may be worse off, but only slightly.

A few months after it re-established relations with Cuba, the Argentine Government extended a \$1.2 billion credit. As part of this new policy, the Argentine affiliates of the big Detroit companies were told that the government would not tolerate their adherence to U.S. trade policies which limited Argentine exports. So, on December 1, General Motors Argentina announced that it had agreed to sell vehicles to Cuba. A Ford subsidiary is now negotiating the sale of 1,500 Ford Falcons and 1,000 heavy trucks. And Chrysler of Argentina has a big deal in the works.

There is really no way Washington can block these sales, but the effect will be that, in terms of employment, trade and better relations, Argentina, not Detroit, will be the major beneficiary of resumed dealing with Castro's Cuba. If the UAW is not concerned about this, it should be. Had Washington made a move some years ago to reverse its stupid policy toward Cuba, it would not have been outflanked in this manner. That the policy was not reversed is to be explained largely in terms of domestic politics, the Administration being ever mindful of the large colony of Cuban refugees in Florida. However, a Gallup poll last March showed that an impressive majority of Americans would welcome a détente of sorts with Cuba. Even now a new relationship could be negotiated.

Fernando Lopez Muino, Cuban Ambassador to Mexico, recently flashed a signal to Washington. "We are not in a holy war with the United States," Mr. Lopez Muino said on January 8 in Mexico City. The American base at Guantánamo is not an issue, he declared. Meanwhile, Castro has told Ottawa that he would like to visit Canada. All the Cubans want is an "unconditional and unilateral" end to the twelve-year-old economic blockade. No doubt the blockade will be ended, but on Perón's terms, not ours.

After all, Israel has no intrinsic interest in the northwestern section of the Sinai Peninsula, except as a defense area. Tank battles these days are not waged for the taking of territory but for the destruction of enemy forces, and it is doubtful that in this respect Israel has significantly worsened its position. There is still plenty of sand lying around in Sinai, where retreats can be made, offensives maintained and where hundreds of thousands of young men can be turned into corpses on both sides.

The actual loss of land is negligible. In 1970, and again about six months before the Yom Kippur war, General Dayan had thrown out the idea of a symbolic and voluntary Israeli withdrawal to a line in front of the Mitla and Gidi passes, and that is approximately where the new cease-fire boundaries will stand. Less than 10 per cent of the Sinai has been returned to Egyptian control, and that

Herbert Krosney is The Nation's correspondent in Israel.

concession is no particular threat to the security of Israel proper. At the same time, a psychological process has begun whereby trust between the two sides has developed, a dialogue has commenced and a probationary period is provided. Each side can determine whether or not the other is carrying out its share of the agreement. Israel's past experience in this regard has not been happy; in 1970, after the cease-fire following the war of attrition, Egypt, contrary to agreement, advanced its missile defenses to the Suez Canal.

Thus, it is difficult to understand the hesitation expressed by a large part of the Israeli public if one considers the military situation alone. The political situation, seen through Israeli eyes, offers firmer clues. The Israelis, or so they believe, have one friend, the United States. They probably enjoy a majority of popular support in the Western democracies but it is not a very firm support. And they have their own military strength.

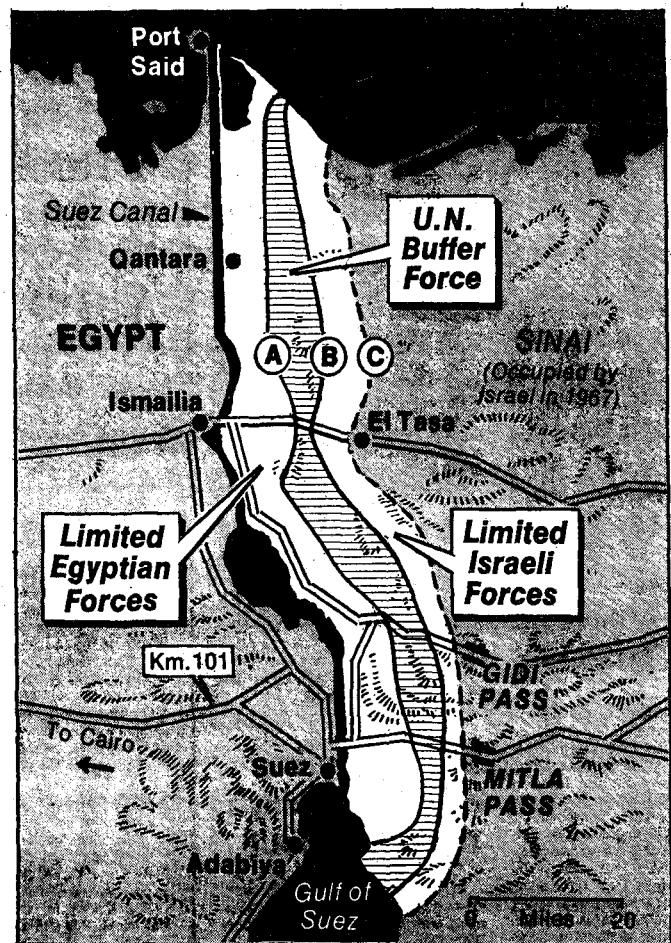
The Arabs, on the other hand, have oil and the entire Muslim, African and Communist worlds. The governments of the Western democracies are quaking in their boots because of oil. Moreover, the Arabs' superpower is totally committed to them, whereas the Israelis' superpower takes a more ambivalent position and has as well distinct historical and political interests in the Arab world.

To these bases for hesitancy must be added a widespread Israeli disbelief in the possibility of accord, a certainty, instilled by twenty-five years of hostility, that the Arabs will not negotiate in a give-and-take situation. "It's a question of imagination," a kibbutznik friend of mine said to me a year ago. "The Arabs have by far a more active imagination than we do. We cannot imagine living in the Middle East without Arabs and without coming to terms with them. They can very easily imagine living in a Middle East without Jews, and with Israel eliminated from the map of the region."

I have always been surprised by a streak of tough-minded pessimism running through the Israeli character. This pessimism is not a function of party loyalty; it is as current among the left-wing Mapamniks as among Labor Party members and those of the right-wing Likud. I ran into it a number of years ago when trying to make arrangements for an interview with Mrs. Golda Meir. I was sitting with one of her political secretaries who, in the course of conversation, said, "The Arabs? They'll always hate us. They just will never recognize us. They'll never sit with us and we're never going to have peace here."

At a recent party, just before the agreement was announced, all the guests were sharply critical of the Israeli Government. They included Uri, a young Army major, and his wife Shoshanna; Rafi, who had immigrated to Israel in 1948 from Shanghai (his family was originally from Vladivostok) and Zvi, a Ph.D. candidate in chemistry whose last four months of study have been with a heavy mortar unit on the front.

Uri and Shoshanna believed that Israel was just not getting anything through the negotiations. "We'll go back, and they won't go back anywhere. The first step is to get their Army out of Sinai altogether," Shoshanna said. Uri believed that the Israeli tactical and strategic position gave Israel a tough negotiating hand that Israel's leaders



The New York Times

weren't using. "It would take about three days to get rid of their Third Army. They have to talk to us."

Rafi was certain that Israel's leaders had a "ghetto" attitude of subservience toward the United States. "We're going to submit to American demands, just like we did in 1956, and we'll pay for it again in five or ten years, not more." Rafi was also totally distrustful of Kissinger. "He'll have to prove that he can be impartial, and he's the one who'll abandon us in the long run. I tell you, I'd even prefer Rogers. At least we knew where we stood."

Zvi summed up his position this way: "There just won't be peace. It's our destiny to fight with the Arabs, so each hill is really important. It's much better for us to be holding a hill in Goshen (the Biblical name for the area held by Israel on the western side of the Canal) than in Sinai. It's better for us to be in artillery range of Damascus than sitting in Kuneitra, which in turn is much better than sitting on the Heights over the Bnat Yakov Bridge, and far better than sitting in Kibbutz Dan.

"They want to destroy us. Maybe it will take them years to change their goal, although if I were in their shoes I don't see why I would change it. And so we will fight back, and we can do it, and we'll do it very well. Every step they take is a tactical one with our elimination as their final aim."

The Israeli public, though not the Israeli leadership, is still suffering the emotional aftereffects of the Yom Kippur war. There is a clear resolve not to get caught unprepared again, and even though the Ma'arach (Labor

coalition) was sustained in office, there is a general disgust that the government should have let the war burst on the country.

Israelis are pretty good, however, at shedding illusions; and some pre-October 6th illusions must be shed, and some 1974 realities must be faced. The first illusion is that Israel can call the tune in peace negotiations with the Arabs. The fact is that two sides must make an agreement—though in this case it may be far more than two sides, and the process is of vital interest to the entire world.

Second, there is the illusion that Israel can live in absolute security. No country can, not even the United States; modern weaponry does not permit it. This is not to say that borders are unimportant. Some are more secure than others, can be defended with greater ease, permit a certain tranquillity to the civilian population. Israel proved there are such borders in the recent war. But absolute security, if such a concept is realizable, must come from brotherhood and trust and good relations, not borders.

A third, and key, illusion, is that "the Arabs" want to destroy Israel. Which Arabs? Some do, some don't, and the vast majority are still wandering with their camels in the sands of Arabia, having heard only vaguely of Israel. A simplistic view that "the Arabs want to destroy us" fails to take account of many factors, including the possibility that some shadow of reality may have recently impinged on the Arab consciousness, possibly because the "stain on Arab honor" has now been removed in battle. Such a view also does not consider that the national interests of Arab states may be opposed to the Pan-Arab ideological beliefs. Egyptian interests, for example, or the interests of Iraq or Kuwait in the oil boycott, may well take precedence over general Arab interests. Indeed, they already have.

The view that "they want to destroy us" also does not recognize the reality that a million West Bank Arabs under Israeli rule have clearly demonstrated a preference for living in *de facto* peace with Israel, for recognizing the reality of Israel rather than waging war against the Jewish

state. The notion that all Arabs harbor thoughts of genocide ignores the six years of active cooperation and interdependence between Arab and Jew.

Part of the overall problem lies in an interpretation of the word "peace." Israelis tend to be excessively idealistic about this much used word. They want peace on an all-or-nothing basis—meaning that peace should consist of normal diplomatic, trade, tourism and economic relations between them and the Arab states. Israelis would, I believe, be willing to give up quite a bit of security for such a peace. They would not be willing to negotiate themselves out of existence, but they would be willing to go very far.

For many Arabs, on the other hand, "peace" means not only the return of the lands administered by Israel since June 1967 but also redividing Jerusalem, an option for all Palestinians to return to their pre-1948 homes (most of which do not exist any more), and the eventual incorporation of the area physically occupied by Israel since 1948—that is, all of Israel—into a greater Pan-Arab hegemony over the entire region. Israel would become a province in the greater Arab state.

But it is time for the Israelis to realize that Arabs as well as Israelis (and Americans and Russians) live in a world of limited options. The Middle East being the hot spot it is, no one can live in total security, or gain perfect conditions through negotiation. The Arabs, by negotiating with Israel, are in effect recognizing the existence of the Jewish state. Reality is not totally foreign to the Islamic mind, and the time may have come at last when they are reconciling themselves to the existence of a Jewish, and Zionist, state among them. And Israel has made a commitment to certain withdrawals from "Arab land." The extent of withdrawals will in the long run be largely determined by the development of trust and the Arab definition of that strange word, peace.

A start has been made and it is a hopeful one. The negotiating process has begun. War remains an option, but it is a far less viable and productive one, for both sides. □

NIXISSINGER DIPLOMACY

OR WHO'S MINDING THE STORE?

SMITH SIMPSON

President Nixon's call for a Washington conference of the governments of oil-consuming countries followed by almost two months Dr. Kissinger's recommendation at the Pilgrims Society dinner in London that these nations make a concerted effort to meet the energy crisis. This delay in a time of serious crisis once again draws attention to the extraordinary way in which the foreign affairs

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of a world power are being conducted by the present Administration. Two secretive, anti-bureaucratic officials maintain such a stranglehold on those affairs that no policy can prosper—indeed, no decisions can be reached, no action initiated—until these two get together. Since one of them, in his theatrical way, conducts diplomacy like a trouper, these occasions occur only at great intervals; hence supporting moves for decisions or suggestions floated in the course of overseas performances are much delayed. When this manifests itself in a crisis of such far-ranging implications as a boycott of the United States by oil-producing countries, diplomacy becomes a matter of concern for every citizen.

The art of diplomacy was taken over by an organiza-

tional dimension during the period of the Great Depression and the ensuing World War II. The process of understanding other governments and people, gathering and analyzing information and views, reporting, persuading, and acting with respect to international problems became a large multichanneled activity running through the entire bureaucracy of national government. In our case, that of a large nation with interests as complex as they are far-reaching, an impelling need arose for the most systematic mobilization possible of the people and other resources demanded for efficient conduct of far-ranging foreign affairs. The aggressive efforts of other governments, proclaiming an intention to frustrate and in the end bury us, as well as destroy the independence of other peoples, have given this pursuit the importance of a peacetime mobilization for the diplomatic defense of the nation and of such other nations threatened by invasion or subversion as our resources enable us to assist.

This requirement and the responsibilities flowing from it cannot be met by a puny organization, such as traditional diplomats prefer, or a small coterie of intimate collaborators, such as President Nixon and Secretary Kissinger prefer, or a large, ill-managed body, such as we have had since World War II with the exception of the Marshall and Acheson periods. Good management, extending to the total resources of our government, is what is needed—the systematic, imaginative running of an extensive federal Establishment by people who are trained and creative in both diplomacy and management and therefore capable of insuring conditions of service favorable to the art of international maneuver. Organization poses the risk of stifling an art, so that the basic challenge of this new dimension in the conduct of foreign affairs is to effect the marriage of an art to management.

The present incumbent of the White House and his principal adviser on foreign affairs have paid not the slightest attention to this aspect of public affairs. Indeed, they are positively averse, if not hostile, to the idea. In the spring of 1968, at the University of California, Los Angeles, Kissinger stated his own view:

Because management of the bureaucracy takes so much energy and precisely because changing course is so difficult, many of the most important decisions [by policy makers] are taken by extra-bureaucratic means. Some of the key decisions are kept to a very small circle while the bureaucracy happily continues working away in ignorance of the fact that decisions are being made, or of the fact that a decision is being made in a particular area. One reason for keeping the decisions to small groups is that when bureaucracies are so unwieldy and when their internal morale becomes a serious problem, an unpopular decision may be fought by brutal means, such as leaks to the press or to Congressional committees. Thus, the only way secrecy can be kept is to exclude from the making of the decision all those who are theoretically charged with carrying it out. There is, thus, small wonder for the many allegations of deliberate sabotage of certain American efforts, or of great cynicism of American efforts because of inconsistent actions. In the majority of cases this was due to the ignorance of certain parts of the bureaucracy, rather than to malevolent intent. Another result is that the relevant part of the bureaucracy, because it is being excluded from the making of a particular decision, continues with great

intensity sending out cables, thereby distorting the effort with the best intentions in the world. You cannot stop them from doing this because you do not tell them what is going on.

This describes precisely the conduct of foreign affairs by Nixon and Kissinger. It also describes the German conduct of foreign affairs in the time of Kaiser Wilhelm II, to the great injury of German influence. The Kaiser, too, was fearful and distrustful of his bureaucracy. He circumvented it whenever he could, surprising it as well as the rest of the world with unexpected, often dazzling moves. He neither prepared the ground for moves by utilizing his diplomatic organization nor did he successfully employ it for follow-up purposes. He calculated on quick results, but these, being at the expense of his bureaucracy and of allies and friends, were nullified at home and abroad by those whose cooperation was needed to carry them out.

These characteristics of Nixissinger diplomacy, so evident in the opening to China, the conduct of relations with the Soviet Union and the handling of the Middle East war, have cropped up afresh in U.S. efforts to deal with the international aspects of the energy crisis—and glaringly so in that segment of it relating to the Arab oil boycott.

As long as the initial phase of this crisis lasted, Kissinger was in his element. He scurried dramatically from capital to capital to obtain quick, on-the-spot evaluations of what the Arab leaders had in their minds and what the Western European leaders had in theirs, sowing seeds of wisdom and restraint among the one and exploring in the other the possibilities of concerted action. By the time he reached London he was ready to spring his proposal at the Pilgrims Society dinner. He proposed that the Foreign Ministers of oil-consuming nations put their heads together, to see how they might devise a common approach to this common and critical problem.

So far, so good. Rapid and extensive soundings had led to a sound American initiative. What then? No doubt the Secretary of State had consulted the President about this—one is assured that he had—but no other part of the executive branch seems to have been either consulted or so much as tipped off. Hence, no part was able to follow through, and when embassies in Washington tried to do so from their side, they drew blanks. Both the State Department and the Federal Energy Office confessed they knew nothing of what Kissinger had in mind.

This being duly reported by embassies to their governments, Washington's ignorance was immediately diffused around the world in a "go-slow" signal. Widespread doubt was created as to how seriously the Kissinger proposal should be taken, and well before he got back to Washington his far-reaching proposal was no longer far-reaching. Initial momentum, so essential to getting new ideas off the ground, had failed to materialize.

That is a consequence of keeping key decisions "to a very small circle" which Professor Kissinger had overlooked when living the life of an academician. His proposal could not, by any stretch of the imagination, have been viewed as "an unpopular decision" requiring secrecy in order to avoid "brutal" bureaucratic objection. It was

the kind of initiative for which the bureaucracy was looking and pleading. The "sabotage" and "cynicism" came not from the Washington bureaucracy but from those very governments whose cooperation was essential if any such concerting of consuming societies was to be achieved. That, too, is an angle which the sophisticated academician overlooked. He knows a great deal about the strategies and tactics of diplomacy, but nothing whatever about the national and personal sensibilities which are involved in the success of strategic and tactical moves.

In an imaginative move, reminiscent of its reaction to the suggestion for a concert of nations to reconstruct Europe twenty-six years ago, the British Government set to work studying the Kissinger proposal the very night it was made. But there was no one at the American Embassy in London or in the American Government in Washington to work with or even to offer any guidelines for a follow-up. The British could have been helpful and were obviously eager to be, but the embers of interest began to cool. Bureaucratic cynicism of a sort set in.

The Pompidou government, on the other hand, alert for any opportunity to repay Dr. Kissinger in kind for his cavalier neglect of Paris, as he has neglected many another capital of allies and friends in recent years, moved to scotch the American initiative. It made the counter-proposal that both consumer and producer countries be brought together to work on the oil problem, and it then proceeded, as did others, to take advantage of the hiatus to press for bilateral deals with interested Arab governments.



St. Louis Globe-Democrat

For their part, the OPEC governments preserved their own momentum by meeting again in Geneva in a counter-move to Kissinger. This enabled them to hold wavering participants in line, reaffirm their united front, decry any similar unison of effort on the part of the consuming societies, and thus to make the Kissinger move appear to be not a natural response to the national security needs of every consuming society but a hostile thrust at the Arabs themselves.

Nor did the chirpings from Washington officials about possible military intervention in the Near East assist the United States to regain momentum. On the contrary, they were so patently ridiculous in the light of our opposition to the Anglo-French-Israeli intervention in 1956, our distaste for overseas military adventure in the wake of Vietnam, and the crumbling coalition of the West that they actually weakened Kissinger's position, making every move by Washington and the West interpretable as an act of—or preliminary to—"aggression."

Thus, in the face of a serious threat to this country, with implications running to virtually every phase of our society, prima donna diplomacy has proven effective only in denying us the momentum of a sound and hopeful initiative. Once again, for want of any conception of what organizational resources mean to diplomacy in the 20th century, Kissinger's torch of leadership has burned from dazzling splendor to spluttering inefficiency. It is indeed doubtful that the move, two months later, to convoke a conference three months later, still can recapture the promise of the original initiative.

It is interesting to compare this solo, anti-bureaucratic diplomacy with the kind that got the Marshall Plan quickly aloft. Secretary Marshall also took advantage of an occasion of rhetoric to make an important suggestion which led to the plan that bears his name. He did so at the Harvard commencement in 1947. But in that case exploratory work had already been carried out by the State Department, which was thus ready for questions and primed with suggestions as soon as the trial balloon was released. There was no time lag of ignorance and mystification; no doubts as to Marshall's seriousness; no opportunity for "deliberate sabotage" or "cynicism" to seep in. Communist opposition in Western European countries and Britain never got a chance for effective maneuver. The story was, of course, different in Eastern Europe, where the Soviet Union could pull wires within the governments; and in Prague the outcome was tragic for Jan Masaryk who, as Foreign Minister, was instrumental in prompting the Czech Government to respond favorably to Marshall's proposal. A Communist coup put an end not only to that but to Masaryk himself.

This was a very different order of diplomacy from that of Nixon and Kissinger. Marshall's was a modern, organized diplomacy, with an effective management of the diplomatic establishment so as to employ fully its resources at home and abroad. By contrast, the Nixon-Kissinger brand is an 18th—or at best a 19th—century affair, secretive at home and abroad, full of drama but short of results in any area where consistent, day-by-day, methodical follow-up is demanded. The outlook for our management of the international aspects of our oil and energy crises is therefore far from bright. □

BAD APPLES ON THE BEAT

GEORGE BLISS

Chicago

Claude Bailey is a 14-year-old boy who had part of his life destroyed on his first run-in with police. Claude, who lives in a substantial middle-class, all-white neighborhood in Chicago, was a promising athlete who had been named the most valuable player on his grammar school team. But Claude dropped his dream of playing football in high school when a policeman's blow blinded his left eye. He was mistaken for a suspect in a crime he hadn't committed and for which he was never charged.

At the time when Claude was under medical care, Rep. Ralph H. Metcalfe, an important black political leader of Chicago and a former Olympic track star, made public a report, "The Misuse of Police Authority in Chicago." [See editorial, "The Metcalfe Report," *The Nation*, September 17, 1973.] The report and accompanying recommendations were garnered from a series of hearings conducted by a "blue-ribbon" panel convened by Metcalfe in 1972, following persistent complaints to Mayor Richard J. Daley and Chicago police officials that Chicago police were guilty of numerous acts of brutality principally in the black and Spanish-speaking areas of the city. Daley and police officials almost completely ignored the complaints. The police department failed to send a representative to the Metcalfe hearings.

Vernon Jarrett, a black columnist on the *Chicago Tribune*, accurately predicted that the Metcalfe report would be attacked by the city administration and the police department as slander of "Chicago's finest." At the same time, Jarrett said, the more militant in the black community would consider it too soft. Police abuse, as well as police graft, shakedowns and other unethical activities, is a fact of life, Jarrett continued. He added that the abusive treatment of citizens by Chicago police, particularly the unnecessary use of force, cannot be denied.

At the time the Metcalfe report became public, four *Chicago Tribune* reporters had already spent more than a month on an in-depth investigation of police brutality. Their task, which was to require almost four months of intensive digging for additional facts and evidence on a highly controversial subject, was to find out who was right, Metcalfe or the city administration. The eight-part series of special reports on police brutality, printed in November, had an impact that brought about almost immediate corrective reform at almost every level of government in Chicago. The *Tribune* found Metcalfe substantially correct in all but one of his charges. He had said that the

problem was almost exclusively in the ghetto areas of the city. The *Tribune* investigation found it to be citywide.

Many readers angrily criticized the paper for publishing the series, but the editors also received hundreds of phone calls and letters registering indignation and relating stories of abuse and beatings by policemen. "They [the readers] see it as an attack on the police force, rather than the attack on official crime which it really is," the *Tribune* replied editorially. In Chicago, it was pointed out, a policeman is a policeman twenty-four hours a day. He carries a gun, night stick and handcuffs. There are more than 13,000 policemen in Chicago, and most of them are dedicated, honorable and courageous. But some have abused their public trust.

Reporters talked to hundreds of alleged victims, interviewed hundreds of persons who claimed they had witnessed illegal police acts, examined thousands of documents and arranged polygraph tests whenever possible. The newspaper found that the Internal Affairs Division (IAD) of the police department, responsible for investigating such abuses, continued to be seriously negligent in its duties, despite years of public criticism. Documented cases of brutality showed that the IAD often ignored basic investigative techniques. Its investigators often failed to seek out key witnesses, monitor relevant court testimony or use the polygraph. The IAD had a surprisingly low score in sustaining brutality complaints against policemen. In the five-year period through 1972, the department received 5,251 complaints from citizens who alleged police abuse. The IAD sustained only 144. In 1973 the IAD compiled its "best" record ever, sustaining about 8 per cent of the brutality complaints.

"I wish I could say I didn't sustain a single case," said IAD Director Alfred Conrad. "I'm not proud of high figures here." Conrad, a veteran of thirty-two years on the force, has a staff of policemen selected from the general ranks of the department. The department has traditionally and strongly resisted the suggestion that anyone from outside the department should investigate allegations of police misconduct. The argument is that only another policeman can fully understand the subtleties of the policeman's duties. There are sixty-two investigators on the IAD staff, which operates on 1 per cent of the annual department budget.

Some IAD investigators, it was found, merely sent out letters telling witnesses to come to the IAD offices at a time picked by the investigator. If they didn't show up, the investigator considered them uncooperative and dropped the case. Chicago police officials insisted that their program of investigating misconduct was working well. But they could find no reasonable way to explain the career of Patrolman Michael Winfield.

Winfield was certified as a policeman on February 19, 1967. The first brutality complaint against him was registered on April 11, 1967. On August 11, 1968, when

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Alfred Conrad; Director, IAD

Winfield met Bennye Moon and her family, it was a wonder that he was still a policeman. He had been on the force for eighteen months and in that time had accumulated fifteen complaints, including eleven from citizens who charged physical abuse and malicious and threatening conduct.

When Winfield applied to join the force he said he had no arrest record, though he had been convicted of assault and disorderly conduct. His former employer told the police department that he was "a hothead, arrogant and short-tempered." But the Chicago civil service commission, over objections, certified him. In June 1968, the police superintendent had on his desk five separate misconduct complaints against Winfield and two recommendations from district commanders that he be fired; also a file warning of Winfield's questionable mental stability and recommending a psychiatric review. The recommendations were ignored and Winfield continued to work on the streets, with the exception of a thirty-day suspension without pay for a brutality case. Then he met Bennye Moon.

Mrs. Moon, a 45-year-old emigrant from an Oklahoma sharecropper's cabin, was walking home from the drugstore that day with her son, Cornell, and her daughter, Diane, who was far along in pregnancy with her second child. Winfield stopped them a few doors from their house. He called Cornell over, ordered him to put up his hands and then put handcuffs on him.

When Cornell dropped his hands, Winfield shouted at him and then smashed him across the face with his revolver. When Bennye screamed at Winfield he swung his revolver and hit her across the face, shattering her lower left jaw. She started to sag to the street and grabbed his lapels to keep from falling. Winfield kept swinging and she finally fell, unconscious and bleeding, her shoulder dislocated, her teeth knocked loose and her head cut. Diane ran up to her mother's still form on the ground and Winfield hit her in the mouth and struck her swollen stomach with his night stick; she, too, fell to the ground.

The Moon family went to the hospital and its members were later charged with aggravated battery and resisting arrest, charges that were eventually dropped. Diane's son, Eddie, was born the following October. He is now 5 years old. He has a deformed left eye, a bone protruding from his chest and a congenital heart defect. Doctors say they cannot be sure his defects came from Winfield's blow, but Diane is sure.

The police department fired Winfield on February 13, 1969, for one of the fifteen complaints filed against him before the Moon incident. The department completed its investigation of Bennye's complaint a month later. It agreed that the Moons had been beaten in an unprovoked attack.

And police brutality was supposed to be foreign to the exclusive Rogers Park neighborhood of Chicago. But on a sunshiny Father's Day morning, quiet, matronly Harriet Bauman, 36, was cleaning her \$60,000 home when she had her first encounter with police. She was eventually charged with resisting arrest and assaulting a police sergeant. She said that the sergeant had pulled her out of her house and chased her across the street and into a neighbor's house. She said she was thrown across a railing of the neighbor's porch and handcuffed and thrown down a flight of stairs while the sergeant addressed her with obscenities in front of her children and neighbors. Although her story sounded wholly unbelievable, witnesses and a polygraph test arranged by the *Tribune* supported it.

Once upon a time the Chicago Police Department had a psychological screening program second to none in the nation. But then politics, as it is played in Chicago, came onto the scene. *Tribune* reporters were told that the psychological testing program was dropped because it was screening out many recruits sponsored by ward committeemen and other city politicians. So for a two-year period the Chicago Police Department was without a program to test police recruits for sadistic tendencies or emotional instability. It is estimated that more than 1,000 policemen were hired without any screening.

The police department, the *Tribune* found, systematically dismantled its widely acclaimed psychological testing program—one that has served as a model for programs in major cities across the country. And for two years police department officials lied, assuring anyone who asked that the department was using the best testing in the nation. The consequences were shocking.

On a beautiful June morning 70-year-old Otto Saxinger and his wife drove over to Lincoln Park in their beloved 1936 Dodge, a car Saxinger had bought when it was new

and carefully preserved ever since. But before they got home from their little jaunt, Saxinger found himself in a police station, charged with assault and battery, resisting arrest and failure to signal a turn. His wrists were cut and bleeding because the arresting officer had jammed handcuffs on Saxinger so tightly that they cut through the flesh.

The *Tribune's* investigation discovered more complaints about handcuffs than about any other aspect of police abuse. Citizens charged that handcuffs were used as instruments of torture, leaving wrists bleeding, swollen and scarred. In theory and common practice, handcuffs are a piece of safety equipment that can prevent injury to a policeman and those around him. But by simply tightening the metal bracelets a policeman can turn them into an instrument that stops circulation, draws blood and paralyzes nerves.

Saxinger still bears the scars on his wrists. When he and his wife pulled the car into an alley to garage it a policeman pulled up behind. Saxinger said the policeman accused him of not having a brake light but Saxinger showed him the brake lights were working. When the policeman started writing a ticket for making a wrong turn, Saxinger made his mistake. He said he was "so mad at the policeman and his attitude" that he spoke up.

"Buddy, some day somebody is going to take you by the legs and wrap you around a post," he said. Saxinger found himself looking down the barrel of a gun. He was handcuffed and tossed head first into a squad car. Saxinger pleaded with the policeman to loosen the handcuffs but he was taken to a police station and charged with assault and battery and the rest.

Saxinger filed a complaint of brutality with the police department Internal Affairs Division, but said he has never heard what happened with its investigation. The IAD told reporters the complaint was dismissed as unfounded. Saxinger volunteered to take a lie test but his high blood pressure interfered with the readings.

Gorki Tellez, editor and publisher of *El Mañana*, the largest Spanish-language newspaper in the Midwest, was manhandled by police while he was attempting to cover a student-police confrontation at a high school. He said he was handcuffed so tightly that his wrists began to bleed and he couldn't use his arm for a week. He thought a man in his position could do something with a complaint of brutality. Tellez said his paper gets phone calls almost daily from Spanish-speaking people complaining of police misconduct.

But the experience of Tellez was minor compared to that of Leroy Watts. He was on his knees, pleading for his life as his recent landlord, Patrolman Maurice Beacham, stood over him. They were in Watts's former apartment in a building owned by Beacham, and Beacham was angry because Watts had left in the kitchen some plastic bags filled with trash. Frantic with fear, Watts leapt to his feet and ran into the next room. Beacham followed and shot him in the left arm. Watts stumbled into still another room, and Beacham shot him in the right hand.

The police department had an impressive list of evidence, witnesses and polygraph tests to show that

Beacham willfully shot Watts. But Beacham continued to work every day as a policeman, and Watts, though alive, is still recovering from his wounds and unable to work. It was only after the *Tribune* printed the series that any action was taken against Beacham. He was suspended from the department and then indicted by a county grand jury on attempted murder and other charges.

Then there was the case of Jose Maldonado. His problem started during the winter months when his baby was hungry and his wife discovered there was no milk in the house. Maldonado got into an argument with several policemen over double parking when he went into the store to buy the milk. He was pistol-whipped and kicked in the groin in a hospital, and had to have his scalp sewn together in three places. He also had been charged with assaulting and attempting to elude two policemen, and with drunk driving. Maldonado was convicted and fined \$1,000 and placed on two years' probation. The secretary of state's office suspended his driver's license for a year because of the drunk driving charge. A \$3-an-hour factory worker, Maldonado had to take a second job to pay legal fees, fines and medical expenses. In company with a reporter, Maldonado took a polygraph test and passed on each question relating to his behavior when confronted by the policemen. One of the policemen was suspended for ten days, but police never informed Maldonado of this. And neither was the court apprised that the policemen were found guilty by the IAD. Finally, the judge who had sentenced Maldonado read his story in



Bennye Moon

the *Tribune*. He called Maldonado into court and vacated the fine. The secretary of state's office agreed to lift the license suspension.

The *Tribune* told in detail the experiences of people brutalized by police in more than thirty specific cases. The reaction to the series came on numerous fronts as public officials announced determination to halt police brutality once and for all. Cook County state's attorney Bernard Carey summoned a grand jury to investigate police brutality and shortly afterward three policemen were named in indictments. They face charges ranging from attempted murder to perjury and false arrest reports. More grand jury action is expected.

Marlin Johnson, president of the Chicago Police Board, ordered acting police superintendent, James M. Rochford, to:

¶Prepare a new psychological screening program for recruits.

¶Set up a plan to re-evaluate policemen already on the force who show signs of emotional instability.

¶Investigate police recruiting methods which have been admitting a decreasingly small number of applicants from minority groups.

Mayor Daley spoke out against police brutality and has said he would seriously review a proposal for an independent city agency to investigate police conduct, a plan he had rejected in late 1972. State's attorney Carey said he would form a special unit in the prosecutor's office to handle police brutality cases. At the same time, new legislation was introduced in the Illinois General Assembly which would make it mandatory for all police agencies in the state to give psychological and other testing to policemen. The state agency would have the power to suspend a policeman found guilty of brutality.

It is possible, but not yet certain, that Chicagoans may soon be able to look on a policeman, whose salary they pay, without having the blood freeze in their veins. □

THE ROOTS OF WATERGATE

Impeachment Is Only a Crossroads

ARTHUR I. WASKOW

The Watergate coup of 1972 was a walloping deviation from the American norm, but it was not *just* a deviation. It had deep roots in the American social and political process that began forty years earlier, when Franklin Roosevelt came to power at the bottom of the Great Depression. To put it bluntly, "Watergate" was an attempt to create a Presidential dictatorship. The attempt did not come to an end when Watergate broke open: the Nixon proposals for broad new Presidential power to allocate energy were simply another version of it. So if Congress presses forward with impeachment, that might deal with the Watergate deviation of the moment and for the moment; but to prevent another such attempt in the future it will be necessary to dig painfully deep—to the roots of those forty years.

The most important roots are in the failure of American capitalism to "work" in the 1930s. The emergency of the Great Depression changed in form and impact but it never went away, and neither did its most important product—the magnification of Presidential power. That power ultimately grew into Watergate, and it is still necessary for us to solve the problems of the 1930s by some method other than the Presidency if we are to prevent two, three, many Watergates.

In the 1930s we learned that private investment and the profit system could not of themselves keep creating jobs for everyone. When Roosevelt took office, the economy was in collapse, and he responded by focusing all

public attention on himself and seizing enormous power to deal with the disaster. But the drama of Presidential activity alone—even given the new Presidential power over the media that was made possible by radio and the "fireside chat"—could not make the factories hum again. The question was, what policy would Roosevelt follow and whose interests would he support? Socialists, some of the labor movement and some liberals urged that the government undertake huge public works and transfer huge amounts of wealth and income to the poor and the working class—creating huge deficits in the federal budget as a way to re-employ people and keep the cash registers dinging.

But Roosevelt realized that such a policy would bring him into head-on collision with the great American corporations, and he refused to follow that line. Instead, beginning with an invitation to the great corporations to join in the National Recovery Administration, he tried to create a Presidential-corporate alliance that would end the depression. The New Deal spent *some* money on public works, redistributed a small amount of income and created small deficits, but not nearly enough. By 1938 even these measures—which had produced a slight improvement—were reduced, and the depression continued to deepen.

The problem was that the corporations feared that any massive redistribution on public works would undercut the whole system of capitalism. If producing things for public use to meet public needs worked better than private enterprise producing for profit, why stop at "public works?" Why not include oil, electric power, transportation? So the corporations forbade the New Deal to do what would have been necessary to end the depression.

Until 1940. By then, the Great Depression had so badly damaged the governments of Japan, Germany,

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Italy, France and England that there was an international crisis and finally war. The American Government believed that interests it viewed as crucial were endangered by that war. Its response was first to create the mechanisms for an Army; then to become more and more overtly involved in the combat; then to create an enormous military system. And that system became the basis for an enormous federal budget deficit, an enormous "public works" program, and—in this way—solved the Great Depression.

What the great corporations would not allow if it were to benefit the poor and working people, they did allow when it benefited themselves and the military services. Indeed, the great corporations sent their managers to Washington to help put the war effort together, and they became central figures in the new, greatly expanded national security system that emerged from the war.

And on its side of the new Presidential-corporate alliance, the Presidency also gained from the bargain: gained not only the public prestige of directing a highly successful war but the actual power of controlling the largest armed forces in American history, the first sizable international espionage agency ever run by the United States (the Office of Strategic Services [OSS]) and the new military-scientific establishment built around the atomic bomb. By the time the war ended, the Presidency had gained powers over the economy, foreign affairs and domestic politics that could be compared only to those Lincoln grasped in order to put down the Confederacy.

But the Civil War Presidency was put back under the control of the traditional checks and balances almost at once. Congress impeached Andrew Johnson because it decided he was using the newly increased Presidential powers, especially the power to use the Army, to decide basic political issues. Although the Senate failed to remove him, the impeachment restored something like the pre-Civil War balance between Congress and the Presidency. After World War II, however, the United States rapidly entered a period of cold war. The draft was preserved, and though the number of enlisted men and women in the Army was reduced, the professional military structures were kept and strengthened. From the OSS was created the Central Intelligence Agency; from the atom bomb project the Atomic Energy Commission, an Air Force with nuclear weapons and a far-flung academic-military interface; from the military production of World War II an entire "military-industrial complex."

At the peak of this new machinery stood the Presidency and the corporations. The President was now operating with very few of the old constraints from Congress; for example, executive agreements, without Senatorial consent, replaced treaties for many crucial acts of foreign policy. Just beneath the President now stood not Congress but the president of General Motors, the key lawyers of Wall Street firms, presidents of giant foundations, who for part of their lives redefined themselves as Secretaries of Defense and State, CIA directors, special White House assistants—the recirculating elite which moved to and from high policy posts in Washington, New York and the other great corporate headquarters. In short, the Eastern Establishment which had controlled the country ever since

1870, usually by controlling Congress, now was sharing power with the Presidency. Their policy was massive investment in the military, in the technological ghettos of the universities, and in the automobile/highway system, but not in any other public works. The urban and rural substructures of life—education, health, sewage, mass transport, recreation—kept eroding.

From the solidification of the cold war in about 1948 to about 1960, this system worked. But its own dynamic was preparing to tear it apart, since it was creating two new forces: a new base for popular insurgency, and a new set of powers that be who were not comfortable with the Eastern Establishment.

On the one hand, the creation of campus "youth ghettos," rotting rural areas and dilapidated cities led directly to a new alliance of insurgents. The black communities in the rural South and the urban Northeast turned themselves from pools of misery into rivers of insurgent political energy. They created a whole stream of demands for reinvestment in rural and urban substructures—demands that began to put pressure on the whole Establishment strategy of military investment.

Meanwhile the military system itself had become a focus of doubt, anger and insurgency. For the new high-technology military had turned out to be both very frightening (it could blow up the world) and very feeble (it could not win in Korea, Cuba or Vietnam). And the military investment became so skewed as to begin damaging the economy it had propped up since 1940. For one thing, the insistence on fantastically swift changes in military technology created more and more capital-intensive military industry—especially aerospace—and fewer and fewer new jobs. Thus the corporations kept their stake in the military, but workers had less. Second, the investment of 10 per cent of the gross national product in the military for an entire generation was a continuous inflationary pressure, since workers and soldiers were being paid to produce products that no one could eat, wear or live in. Third, the new global military system required spending billions overseas, thus tilting the international balance of payments. So the external and internal usefulness of the military—to win wars at low risk and to keep the economy going—both began to dissolve in the 1960s.

The result was an anti-military movement that began with demonstrations against fallout shelters and H-bomb tests and grew into anti-war teach-ins, draft resistance, the siege of the Pentagon in 1967, the Chicago collision in 1968 and the Cambodia uprising of 1970. As students organized large-scale disruptions, the new middle class and even the government bureaucracy began to be affected, and so the anti-military sentiment also created the McCarthy and Kennedy campaigns of 1968, the nationwide Moratorium days in 1969, demonstrations of federal employees against the war, and the leaks of secret information about the SALT arms-management talks, the Indo-Pakistani war, and of course the Pentagon Papers. By 1970 both the black and the anti-military insurgencies had created major strains on the Presidential-corporate political arrangements that began in 1940.

But the process of militarization since 1940 had had another major effect, alongside the sparking of insurgency: the creation of an independent power center uneasily

coexisting with the Eastern Establishment. This new center, made up of the military and paramilitary institutions themselves and the Southwestern oil and aerospace industries, has been called the "Cowboys," as against the older corporate "Yankees." (Carl Oglesby was the first to employ this terminology.) Its power is clearest in California and Texas, but more important than its geographic base has been its ideological orientation—to Asia rather than Europe, to military rather than commercial ways of controlling other countries, to repression rather than co-optation in domestic politics. The Cowboys' power grew through the 1950s and 1960s but leaped forward when Nixon became President. (The appointment of John Connally, a Cowboy, to the special preserve of Eastern financial power, the Treasury, was an index of the shift.) And during the first Nixon Administration the growing divergence between Cowboy and Yankee interests became an open break—defined most openly when *The New York Times* published the Pentagon Papers and the Administration responded with a historic attempt at prior censorship.

One major cause of this break was the fact that the military machine was putting greater and greater pressure on Eastern economic and financial arrangements. After the Tet offensive in 1968 the dollar went through its first major post-depression crisis. That crisis helped force many of the Easterners to oppose sending more troops to Vietnam. "The dollar or the war" became the crucial issue dividing the two power centers. From 1968 on, Nixon's insistence on prolonging the war helped keep the dollar in trouble and exacerbated Cowboy-Yankee relations. Meanwhile, the economic pressures began to affect the working and middle classes, through the price-wage-tax bind. In 1970 postal workers carried out and won the first massive illegal strike of federal employees in American history. Demands for tax reform spread; wildcat strikes multiplied; consumer protests against unsafe, unhealthy products began to be heard. Some response to these pressures, as well as to those of the black and anti-militarist movements, became necessary.

The response was what might be called *the two Watergates*: one in the political sphere, one in economics. Both were a reaching out for ultimate Presidential power to control American society: in short, Presidential dictatorship. In politics, the Presidency brought the techniques of covert war home, first against the Left and then against the Center itself, against the Democratic Party. In economics, the Presidency took direct control of wages, prices, the international monetary standard, even—through impoundment—the federal budget. And when the energy policies of the Presidential-corporate alliance brought on the energy famine of 1974, the response of the alliance was again to manipulate the crisis by Presidential power for the benefit of the oil oligopolies, and to demand even more dictatorial Presidential powers over the economy.

Using the techniques of war at home was not totally new: the goal of Watergate was. In World War II, Franklin Roosevelt had ordered all persons of Japanese descent on the West Coast—citizens and aliens—to be sent to "detention" camps as if they were prisoners of war. He had ordered his Attorney General to begin using illegal

wiretaps against "subversive" groups. In the period of renewed crisis late in the 1960s, the Johnson administration first ordered military intelligence to spy on and make dossiers for black and anti-war activists—a list that soon ran to millions of names. Then, as leaks of foreign-policy information began to distress the Nixon Administration, the targets shifted to senior staff of the government itself, and to reporters of the Eastern Establishment press. And finally, when the Nixon White House realized in 1971 that the Democrats led in Presidential polls, the target shifted to the Center. To those in power, the most crucial element in American constitutional arrangements—the free flow of office from one Establishment-oriented political party to another—had become illegitimate.

Why so? Because, since the Civil War, the Eastern Establishment had controlled both Democrats and Republicans—with the one exception of 1896—and had never therefore seen the imminent possibility of losing power, no matter which party came to office. But by 1970, an independent power center had to make its own judgments of the future. The Cowboys no longer had any serious stake in the Democratic Party. If Nixon lost, they were out. So they wanted to prevent the Yankees from nominating a Democratic candidate whom the Yankees could elect and control, and to do that they had to bug, tap, sabotage and burglarize the Democratic Party. To do that, it should be noted, they had to use not merely analogically but in actual fact, the expertise of the CIA: Nixon's old war against the Cuban Revolution came home, and the enemy now was the Eastern Establishment.

But the policy was to subdue, not smash, the Yankees: to force them on the one hand and cajole them on the other to support Nixon. So, simultaneously with the secret action to break the Yankees' control of the Democratic Party, came public actions intended to disarm them by incorporating part of their policy. After the first Cowboy-Yankee open skirmish over the Pentagon Papers, the Nixon Administration adopted much of Yankee foreign and economic policy: détente with China and Russia, an attempt to reach a Titoesque settlement (including American aid) with North Vietnam while preserving U.S. interests in South Vietnam, reform of the international monetary system, wage and price controls so arranged as to permit greater corporate profits than ever.

This two-pronged policy was able to call on tens of millions of anonymous dollars from the corporate leadership. It did not need to compromise with the "Progressive Yankees" who were arguing for massive redirections of money from the military into domestic reconstruction and the pursuit of some kind of welfare capitalism as the ultimate solution of the Great Depression. Indeed, on the most immediate surfacing of this issue—the 1972 Congressional appropriation of billions for health, education and anti-pollution public works—the President demanded and almost got from Congress permission for an item veto; and when denied, he took the power anyway through impoundment.

The combination of White House sabotage and Left insurgency gave the Democrats a Presidential candidate with few ties to the Eastern Establishment or even to its labor lieutenants. So most of the Yankees felt compelled to support Nixon—which had been exactly the point of



both the secret and public halves of the Nixon policy. After the election the Administration repaid its corporate contributors by taking the lid off prices, which began to climb at a record rate for peacetime. And it moved to consolidate its control of the country by staffing the sub-cabinet with men beholden to no political interest at all—except the White House. It even decided to give legitimacy to its domestic covert war against the Left and Center. It proposed an Official Secrets Act which would have muzzled the press against printing such material as the Pentagon Papers or the Watergate revelations, and its Supreme Court proposed rules of evidence that would have allowed the Executive to exclude any evidence from the Court on the ground of “national security.”

Thus the stage was being set to put all the pieces of Presidential dictatorship into place, with the color of legality, during the second Nixon Administration. But the balkiest elements of the Eastern Establishment, *The Washington Post* and *The New York Times*, with the help of a few other surviving elements of the liberal society—an intransigent judge and a few intransigent Senators—prevented the scenario from being played out as intended, by forcing open the Watergate story. They precipitated a major crisis: that is, a major crossroads for decision.

However, what remains is a decision, a choice, not an inevitable process. The revelations by themselves do not mean that the Watergate danger has been ended. The first clumsy effort to establish a Presidential dictatorship need not be the last. For example, the Nixon White House tried to do the whole affair on its own, even asking the CIA to immolate itself for the President's sake. A

more intelligent effort at Presidential dictatorship would try to align the CIA and FBI with its interests.

Ten years ago, who could have imagined that any President would remain in office after the public discovery of the grossest use of the White House, CIA and Justice Department to make covert war on the leading opposition party, so as to make the Presidential election a farce? If Nixon even stays in office after trying to take over the whole political process, he—and, more important, irresponsible Presidential power—will have won, just as Nixon won in 1970, after he weathered the Cambodian ruckus. Then the next President to try for a coup will do it much more intelligently and effectively.

The only way to defeat Presidential power is to create other power that is stronger—and the only way to show it is stronger is to win the political war that Nixon initiated. If the Eastern corporate Establishment forces Nixon to leave office, it will gain more power; if the Congress does so, it will; if an insurgent public, it will. If Nixon stays in power, it is he and his successors who will gain power. They will not be able at once to install a Presidential dictatorship of the kind Nixon was trying to create, but there will be a new “floor” under what is conceivable; even at its weakest, the Presidency will not be weaker than the early Nixon-Pentagon-CIA-FBI-Justice complex was, and at its strongest, next time around. . . .

Yet, even now, the Eastern Establishment and Congress have by no means decided to win the political war. It shows many signs of still hoping that the Cowboys can be tamed without being broken: that a somewhat better policy mix can be wrung from Nixon, who is now subject to political blackmail, or from Ford, who has exactly the same politics as Nixon but will be somewhat weaker and more open to compromise. When the first serious political issue—the alleged “energy crisis”—came along, the Yankees immediately acquiesced in the closest Presidential-corporate alliance imaginable, even though it was turned to the uses of the oil oligopoly: as an excuse to push independent oil dealers out of business, raise prices and violate environmental protections. The Eastern Establishment accepted all this. It rejected only the most extreme of Nixon's requests for new Presidential power over energy, while adding major new dimensions to Presidential power through the authority to allocate energy. Even while it talked about restraining the Presidency, its actions increased that power.

Moreover, most of the liberal members of Congress and liberal counter-Establishment figures like Ralph Nader and Jerome Wurf discouraged such techniques for building a massive organized public movement for impeachment as rallies and town meetings. They want Nixon forced out by less disturbing means and by the *threat* of mass public upheaval. But even if this closet-impeachment approach could work, it would leave the American people less than citizens.

Indeed, the way in which impeachment is demanded will probably have deeper political effects than whether it actually takes place. Compare two almost polar possibilities: on the one hand, if there is little popular action and the President is actually removed by House and Senate action focused solely on his most outrageous obstructions

of justice, while simultaneously the Presidency is given added powers to control commerce, commodities, energy, wages—and therefore strikes—then the process leading toward Presidential dictatorship will simply have been slowed, or redirected into seemingly economic channels. For example, imagine the possibility that a Presidential board might be appointed to allocate scarce newsprint; or to allocate energy, when certain industries or universities are the base of an insurgency. Already some political activists have noted that before spring, civilians may not have enough gasoline to be able to *choose* whether to mount a large-scale demonstration in Washington, even though, or because, the military will have all the gasoline it requests.

On the other hand, a massive public campaign for impeachment which did *not* win removal of the President but which *did* assert the right to strike against Cost of Living Council wage guidelines, which demanded major cuts in military stocks of gasoline, which created local and regional planning of the economy, etc., would begin the process of real reductions in Presidential power that would prevent future Watergates.

An impeachment campaign that wants to reduce Presidential power permanently rather than for a moment should therefore set its goals beyond impeachment—on two levels. First, it must focus on the institutions whose existence made Watergate possible. The Cowboy corporations and paramilitary institutions like the CIA and FBI were willing to join in making covert war against the Left, and provided expertise and the social base, though not full partnership, in the war against the Center. The first job, therefore, is to tame or break the power of the Cowboy-military-police coalition. Covert war abroad *and* at home must be forbidden.

Much of the necessary legislation already exists in Congressional committee files, but it was written only one piece at a time, and each piece has only a tiny lobby. It should be brought together into an Act to Enforce and Implement the Bill of Rights—an act that should become a major demand of the impeachment campaign. For instance, there should be provisions:

¶Protecting working reporters in doing muckraking, *at the same time* provision is made for broader access to ownership and control of the media through automatic subsidies for small magazines, film makers, etc.

¶Prohibiting surveillance, eavesdropping and the placement of informers in political groups, the press, unions, or government offices.

¶Defining war crimes in detail and specifying criminal punishments for them.

¶Prohibiting covert interventions in the economies and politics of other countries by the CIA and other agencies.

¶Strengthening legal oversight powers of Congress by giving additional powers to the General Accounting Office and perhaps by creating a Standing Committee on Impeachment to review possible high crimes and misdemeanors of Cabinet and other high officials, to deal with cases where the Executive wants to commit or to hide rather than prosecute crimes.

¶Giving the citizenry itself new avenues of access to the courts and new legal standing to create court cases on such questions, through suits for injunctions, manda-

mus and tax relief and through the rehabilitation of grand juries so that they represent the people, not the Executive.

Just as the outrages of George III sparked not just a rejection of British rule but the creation of new and strengthened institutions of self-government, so the Nixon outrages should spark not only impeachment but what might be almost a new Bill of Rights. And while such demands are being posed to Congress, the impeachment campaign should be pressing at the local level such related demands as the review by city and state authorities or by special independent commissions of all ties between federal police and local “Red Squads” in placing informers, bugs, etc., and the creation of groups to watch constantly over telephone companies, banks and other such centers of information often illegally spied upon by police.

Second, we must focus attention on the “economic Watergate” of this Administration—the President’s seizure of greater and greater powers to rule the entire economy—power to write and rewrite the federal budget, to turn price and wage controls on and off, to control the monetary system, to allocate energy. We must understand how Watergate is connected to these bread-and-butter issues. The power to decide them must be returned to public control, at the national and local levels. For instance, such a program would prohibit the use of federal troops to break strikes. It would provide for elected, not Presidentially appointed, worker-consumer boards to review the pricing and production policies of major companies in the energy, food, transport and similar industries.

It would include a reassertion by Congress of its obligation to decide issues of rationing, taxation, tariffs, spending, etc., rather than turning these over to the President. And it would include state and local entry into fields of industrial and agricultural production to by-pass the corporate oligopolies: thus, state purchase of farms to grow cheap food and state assistance to food co-ops to deliver it; state investments in solar and wind energy, etc.

Such experiments and pilot programs would be the first step in going beyond this last generation’s basic policy of dealing with the problems of American capitalism through huge military expenditures at home and global dominance abroad. The elephantine armed forces, intelligence agencies, covert mercenaries, etc., that have been essential to the global empire, have necessarily come home to make war here too. If these are to go, we must work out some other way to deal with the crisis of American capitalism for which the military system acted as a temporary solution. Thus, we cannot simply go back to 1940; we must go forward to a form of self-government that meets public needs, that puts the economy under the control of workers and consumers, that puts the political process under the control of real live citizens. The only complete answer to Watergate, as to any effort at dictatorship, is the creation of means by which the people can govern the institutions which govern their lives. Every demand for immediate partial redress should keep that long-run goal in view. The Republic *as it was* can never be restored; whether the U.S. Government can be made into an institution that serves the public, now depends entirely on whether the public acts.

As for how to begin the process: individual acts by lonely citizens, like the flood of telegrams after the Sat-

urday night massacre, are not enough to create new centers of local power. Not only impeachment but with it a program of democratic renewal might become the focus of thousands of town meetings all across the country—town meetings at workplaces, union halls, synagogues, and churches, neighborhood community centers, schools and campuses—all the places in which Americans have and occasionally use real power. If it were possible for a network of impeachment-oriented groups like the new National Campaign to Impeach Nixon to address the broader issues without defining one particular line of policy, such

a group could probably multiply the present political energy behind impeachment by focusing on a nationwide Week of Emergency Town Meetings to discuss these questions. But even in the absence of such a national call, an explosion of local town meetings would change the situation and raise more basic issues. To do less, to depend on Congress alone to impeach the President, or the Establishment alone to force his resignation, is to reinforce the apathy and the dependence on the Presidency to solve problems that will soon put us back into some new version of Watergate—with or without impeachment. □

ALIEN DISCRIMINATION

The Case of a Mexican Seamstress

MARVIN M. KARPATKIN

Not all of the inhumane decisions of the Supreme Court can be blamed on Nixon's appointees. Shortly before its year-end recess, the Court voted 8 to 1 that the Farah Manufacturing Co., well known for its anti-union activities, could continue to deny employment to Mexican-American aliens, notwithstanding the Civil Rights Act of 1964 which bars discrimination based on "race, color, religion, sex or national origin." [See "Farah Slacks and Pants: Chicanos Extend the Boycott" by Philip D. Ortego, *The Nation*, November 20, 1972.] The basis for the Court's holding was a rigid, technical distinction between "citizenship" and "national origin," which would satisfy the most vociferous advocate of "strict constructionism."

The case involved Mrs. Cecilia Espinoza, a lawfully admitted Mexican-born resident alien. She lived in San Antonio, Tex. with her husband, a U.S. citizen. Mrs. Espinoza sought employment as a seamstress at Farah's San Antonio factory, but was rejected because of a "policy" against employing aliens. The Espinozas complained to the local office of the Equal Employment Opportunity Commission, and the EEOC found that the federal anti-discrimination law had indeed been violated, since one of its own regulations provided:

Because discrimination on the basis of citizenship has the effect of discrimination on the basis of national origin, a lawfully immigrated alien who is domiciled or residing in this country may not be discriminated against on the basis of his citizenship.

Farah did not yield to the EEOC, and the Espinozas sued in federal court. Since the issues in the case involved not just the Espinozas, and not just Chicanos but hundreds of thousands of lawfully admitted resident aliens of a multiplicity of national origins, it had attracted considerable attention by the time it reached the Supreme Court. Supporting *amicus curiae* briefs were filed by the Mexican American Legal Defense Fund and the Employment Law Center, one of the highly respected

OEO legal services "backup" centers. An employer group with interests in Guam, the Facilities Management Corporation, represented by a prestigious Wall Street firm, sought to persuade the Court, via an *amicus* brief, that any decision it made should not interfere with the firm's practice of paying lower minimum wages to aliens.

But the array of *amici* was made even more dramatic by the divided position of the U.S. Government. This was a civil case between a private employee plaintiff and a private employer defendant, yet different agencies of the government were before the Court, on opposite sides. The EEOC was an *amicus* in support of the Espinozas, and the Justice Department had previously filed a brief urging the Court not to take the case.

The Supreme Court, in ruling for Farah, disregarded the EEOC regulation, thereby rejecting a customary Court maxim that, where a statute is to be construed, the opinion of the agency charged by Congress with its day-to-day enforcement is entitled to great deference. This rule was discarded because the Court concluded that the EEOC was wrong, since Congress, as the Court saw it, never intended the ban on national origin discrimination to include "alienage" discrimination.

According to the Court's super-refined analysis, when Congress enacted a ban on discrimination because of national origin, this did not necessarily include a ban on discrimination against noncitizens. The Court's logic has a surface appeal, because Congress did not include the word "citizenship" in the statute, and it is possible for a citizen to be the target of discrimination because of national origin. On the other hand, Congress could have written a narrow definition of national origin discrimination by allowing discrimination against aliens, but it did not. Since the group of potential victims of such discrimination obviously includes noncitizens as well as citizens, it is at least as logical to assume that Congress intended to legislate broadly, especially in a civil rights statute.

In attempting to divine Congress' intention, the Court majority pointed to some ambiguous language in the House debate, but admitted that the evidence was "meager." The Court cited no legislative history to show that the bill's sponsors intended to allow discrimination against

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noncitizens, and indeed no evidence was cited which even shows an awareness of the distinction.

The Court appears to have been more persuaded by the existence of various Acts of Congress which require U.S. citizenship as a condition of federal government employment. It would be "bizarre," the Court suggested, to require that Farah cease discriminating against aliens, while the EEOC office which supervises Farah cannot hire any aliens. The simple answer, which the Court did not consider, is that there is a difference between public and private employment, and it is not difficult to suggest rational reasons for requiring federal government employees to be citizens of the government they work for. In addition, Prof. George Cooper of the Columbia Law School, who argued the case for the Espinozas, also pointed out that the distinction was meaningless because federal civil service statutes which prohibit alien employment are obviously unconstitutional, even though the Court has not yet ruled on the point. But the Court chose to leave that point undecided, critical though it was to the outcome. (Civil libertarians would argue that the combined effect of the Civil Rights Act and the Constitution forbids any kind of employment discrimination, public or private, against aliens, but a Court that is unwilling to grapple with the constitutional question could certainly conclude that Congress meant to treat public employment differently from private employment.)

Moreover, the case is rendered bizarre, not by the suggested hypothetical case but by the Court's two last prior decisions on alien employment. In June 1973, it held that the state of Connecticut could not bar an alien from the practice of law, and that the state of New York could not deny state governmental employment to an alien. These were constitutional decisions, in which the Court interpreted the Fourteenth Amendment's equal protection clause. It is difficult to find a constitutionally sound basis by which the Court could allow the federal government to discriminate against aliens, while it forbids state governments to do so. It is much simpler to disingenuously duck the question.

In any event, Mrs. Espinoza's case did not involve her wish to be employed at the government mint, or as a clerk at the U.S. Courthouse. She sought employment as a seamstress (presumably to make nonunion Farah pants). And the Court's holding that Congress never intended "national origin" discrimination to include discrimination against aliens reflects the antediluvian doctrines, reiterated in a long line of decisions, that aliens are mere subjects of an all-powerful Congress, and any rights they receive are bestowed as a matter of grace. Consequently they may not benefit from any statutory interpretation, no matter how reasonable, and even if made by the government agency entrusted with the administration of the statute. This case suggests that wherever there is any statute which might benefit an alien, the Court will examine it with a microscope to see if it can find some way to conclude that Congress never intended the alien to benefit.

It is no surprise that Justice William O. Douglas dissented vigorously, as he has so consistently when the majority of his brethren have been nonchalant, or worse, in decisions affecting the rights of the many groups of

disenfranchised persons in American society. But it is distressing that in this case he finds himself alone. And it is even more distressing that the majority opinion was written by Justice Thurgood Marshall.

Douglas pointed out that the Court's decision in this case was sharply inconsistent with its 1971 decision in *Griggs v. Duke Power Co.*, where the Court gave a liberal interpretation to a case that involved racial discrimination in employment. The important criterion in the *Griggs* case, Douglas reminded his colleagues, was not whether the employer's job requirements of certain tests and diplomas were "racially neutral," but whether "in fact those requirements had a *de facto* discriminatory result" which could not be justified in terms of job performance. In this case the "neutral" citizenship requirement—which was concededly not justified by considerations of performance—obviously had a discriminatory result because "Farah's policy of excluding aliens is *de facto* a policy of preferring those who were born in this country." And, in words which might have been particularly directed at Justice Marshall, Douglas wrote:

These petitioners . . . are Chicanos. But whether Brown, Yellow, Black or White, the thrust of the Act is clear: alienage is no barrier to employment here. *Griggs*, as I understood it until today, extends its protective principles to all, not to Blacks alone.

Douglas concludes his dissent by pointing out that the Court's decision helps only the immigrant's children, who have become native-born citizens, but not the first generation, which "has the greatest adjustments to make to their new country." They have all of the obligations of citizenship, including taxation and the draft. "But they have never received equal treatment in the job market" because "Their unfamiliarity with America makes them the most vulnerable to exploitation and discriminatory treatment."

The *Espinoza* decision has already spurred some activity among immigration lawyers, who are working for an amendment to the statute which would ban discrimination because of noncitizenship. Since neither Chicano aliens nor aliens in general have much political clout, it is doubtful that this very necessary amendment will be quickly enacted. Meanwhile, it will be small solace to the many thousands of aliens who will suffer from this inhumane decision to know that only one of the nine Justices of the Supreme Court understood their plight. And their feeling toward their adopted country will not be assuaged by the knowledge that the eight Justices who sided with Farah included four appointed by Nixon, two by Eisenhower, and one each by Kennedy and Johnson.

The decision may be seen by a sensitive foreign observer as the American judicial establishment telling an immigrant alien that, like a colonial subject of conquered territory, or a slave under the *Dred Scott* decision, she falls outside the protection of the American legal system. She should be eternally grateful to have been admitted into the United States, but she herself must bear the badge of inferiority, at least for the five years that must elapse before she can become a naturalized citizen. And she should suffer patiently, comforted in the expectation that her child, though Chicano by "national origin," will be allowed to enter the system. □

BOOKS & THE ARTS

Letter from Barcelona

DAVID ROSENTHAL

To the stroller, this is a city of boulevards and sidewalk cafés, small parks and squares. During the late 19th century, Art Nouveau was popular with the rising Catalan bourgeoisie, and even the most staid residential blocks abound with surprises, sometimes grotesque, sometimes exquisite. Barcelona is Gaudí's town. His Güell Park, perched on one of the hills which ring the city, is one of the world's enchanted places—a play of fantasy which never overpowers the natural world it is meant to complement. And from many spots one can see the Tibidabo, an amusement park a little farther (and higher) from the center. Its sparkling strings of lights enhance the fairy-tale atmosphere.

But there's another side to Barcelona too, one rarely reported in Spanish or foreign newspapers. Workers killed in demonstrations, universities more closed than open, squalid shantytowns which cling to the same hills which surround the city and are part of its charm. And beneath these dramatic manifestations, there's an overall sense of restlessness, of frustrated yearnings for a free press, a more European ambience, an authentic public life. And for more political autonomy, toward which, thirty-four years after the end of the Civil War, Catalans are now groping.

An example would be the plans now being made for a Catalan delegation to the next international P.E.N. conference. The conference will take place in Jerusalem next fall. As things now stand, the group will be headed by Montserrat Roig, a young woman novelist and one of the few Spaniards with a serious interest in feminism. It is, of course, very uncertain whether she will be allowed to participate. The Spanish Government and its friends will surely do their utmost to prevent it. But the attempt to re-establish a separate Catalan P.E.N. is one of many indications of the way the wind is blowing here. There was such a group during the 1930s, but like everything else autonomous, it was disbanded at the end of the Civil War. Spain as a whole—that is to say Madrid—has never had a P.E.N. chapter, owing, one supposes, to lack of interest.

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After twenty years of silence, Catalan culture in general, and the printed word in particular, have been going through a period of renewal. Records of "folk songs" in Catalan, often with political implications and sung by performers like Raimon and Joan Manuel Serrat, are popular with the young. There are Catalan magazines of high intellectual content like *Serra d'Or* and reviews like *Orifloma* and *Cavall Fort* for adolescents and children. A *Gran Encyclopèdia Catalana* is in the making, being issued volume by volume. It promises to be one of the finest works of its kind anywhere. Even in the windows of cars one sees, side by side with stickers from discotheques and the Barcelona soccer team, injunctions to *Llegiu, escriviu, i parleu en català* (read, write and speak Catalan). In addition, there is now a thick catalogue of books in Catalan—history, technical works, translations of classical and modern authors (including Americans like Faulkner, Hemingway, and Capote), literature, children's books—in short, the entire range of materials usually found on publishers' lists.

To understand the import of all this, a little historical background is useful. There are four major languages in Spain: Basque; Castilian (what is usually called Spanish); Gallego, the language of Galicia, an area in the northwest; and Catalan, spoken by about 8 million people, in the Balearic Islands, in a small strip of southern France that includes Perpignan, and in Spain proper from Alicante to the French border, and from the Mediterranean Sea to Aragon. The three Spanish Romance languages all have produced important literature (Basque is totally unlike any other language in Europe). But to take the Castilian segment as the literature of Spain, either now or in the past, is to accept a myth propagated by the government and to miss about half the richness of Spanish writing.

The most interesting Catalan literature is of two periods: the medieval and Renaissance (1250 to 1500), and the modern (approximately 1875 to the present). In the first era it produced such brilliant figures as Ramon Llull, a philosopher, poet and storyteller who wrote in Arabic and Latin as well as Catalan, and Ausias March, a contemporary of Dante who remains a strong influence on young

poets here. Also worth mentioning is Joanot Martorell, author of *Tirant lo Blanc*, a half-serious, half-ironic novel of chivalry. Cervantes acknowledges him as an important influence. At the beginning of this period, Catalonia was heavily influenced by the culture of Provence. As time went on it developed separate traditions and modes of expression. Nonetheless Catalan, as a language, has always been close to Provençal. An example would be the word for bird: *pàjaro* in Castilian, *oiseau* in French, *auzel* in Provençal, and *ocell* in Catalan. But the vitality and directness of the early Renaissance remain, at least in literature, far more alive here than in Provence proper. And these elements feed directly into the modern period. Indeed, young poets in their 20s, like Ramon Pinyol, are still writing sonnets of love and revolution with caesuras in every line.

This continuity was nourished, during the late 1800s, by the revival of the Jocs Florals, a popular poetry contest with its roots in the Provençal era. It came to play an important part in the life and identity of Barcelona, and of Catalonia as a whole. For the last hundred years poets have had a special position here, acting as spokesmen for Catalan culture and Catalan political aspirations.

With the shifting of Spanish interests from the Mediterranean to the Atlantic, and also because of a series of wars in which the Catalans took the losing side, this part of Spain stagnated during the years between 1500 and 1800. But Catalonia was still the center of Spanish commerce (as opposed to the shipment of gold through Seville). And with the beginnings of industrialization in the 19th century, the Catalans and the Basques were the first to build railroads, establish banks, and keep abreast of advances in Europe. At the same time Catalan, which had remained the spoken tongue here but had nearly died out as a literary language, was taken up again by a group of intellectuals who were determined to make it an instrument of modern thought, and who also wanted political autonomy within Spain. They were supported in these endeavors by an important sector of the bourgeoisie, and were successful, for a time, in both areas. During the 1930s Catalonia became a self-governing region with its own parlia-

ment and chief executive. Public signs and announcements were printed in Catalan and Castilian. Catalan itself, as a language, was renovated and modernized (in particular by Pompeu Fabra, whose *Diccionari General de la Llengua Catalana* remains the standard one), and made into an instrument equally suited to poets and airport controllers.

During this period, and especially from the 1920s on, a number of outstanding poets appeared. Among them were J. V. Foix and Joan Salvat-Papasseit, experimentalists with one foot in surrealism and futurism, and the other in the medieval and Renaissance tradition. Their poetry is an unusual combination of whimsy and high seriousness, two qualities that coexist also in the work of Miró, Catalonia's most famous 20th-century painter, and until the Civil War seemed to be the special mark of Catalan genius. It is, in fact, still visible in a younger writer like Miquel Desclot, whose poems bear titles like "She, The Immortal Fairy, Appeared to Me Suddenly and with Her Harpoon of Lion-bone Pierced My Drowsy Pupils." It is, to some extent, the spirit of Gaudí, whose work mostly dates from the late 19th century. During the 1930s, also, a group of Catalan translations from the Greek and Roman classics appeared. They remain the most comprehensive ever done in Spain, though out of print since 1939. A lively popular culture flourished in the local cabarets and theatres.

With the victory of the Nationalist armies in 1939, all this came to an end. Many of the most prominent intellectuals went into exile—some to Latin America, most to France, where they lived through Hitler's invasion and the Vichy regime. Catalan was banned as a language from use in the press and schools, and large numbers of Catalan books were destroyed. Twenty years of rigid repression followed. Spain was desperately poor, and Catalan autonomy seemed a chapter forever closed by the loss of the war. Children grew up not knowing how to read or write their native language. Businessmen made haste to appease the central government, speaking (as some of them had during the late 19th century) a grotesque pidgin-Castilian which had neither the graces of that language nor of Catalan. Very slowly, a few books were reprinted, mostly Catalan classics of one sort or another, for circulation in limited editions. But in the meantime, another generation was growing up which had never known the Civil War, or only vaguely recollected it from childhood.

Then, in the 1960s, things began to change. Spain started to boom, devel-

IN ANSWER

Why did you invite me?

I don't belong.

Being Louisa May Alcott reincarnate

*I will be a disappointment to you
and my ancestors.*

My father, a transcendental

*Armenian I can never hope to equal
in imagery, escaped a holocaust
of Turks and carved his initials
into the belly of the Caucasus.*

I live in a lily garden

and serve tea to Edgar

Allan Poe.

My eyes are green and cold.

My body taut with isometric

exercises, my mind soft

with being glad to receive

your invitation.

Diana Der Hovanessian

oping and maintaining one of the world's highest industrial growth rates. New factories and blocks of flats sprang up in and around Barcelona. Cheap labor, mostly from Galicia and Andalusia, flooded into Catalonia, along with capital from Europe and the United States. In a decade Barcelona was transformed from something a bit less than it had been before the war into part of the modern industrial world.

Today the overwhelming impression, as in northern Italy ten years ago, is one of rapid and chaotic industrial expansion. Everywhere streets are being torn up and new buildings erected. Vast, bleak housing projects for workers rise on the outskirts, often remaining without vital services (such as post offices and hospitals) for several years. Cars and trucks, factories and power plants spew filth into the air, casting a permanent gray pall over the downtown section. At the same time, in the stores and boutiques, in the wealthy suburbs, and in the daily life of the city, it is obvious that, more than ever before, there's *money* in this town. Even the physical contrast between the healthier, taller young people and their elders is impressive. For it is now possible, as it wasn't for most people right after the war, to rear children on a diet that includes milk and meat as well as bread and potato omelettes. For some people, indeed, Barcelona is a very profitable place. And the vast amount of tax evasion practiced by the rich—one of those public scandals nobody does anything about—makes it even more profitable.

At the base of all this prosperity are, on the one hand, the unskilled "immigrants" from the rest of Spain and, on the other, foreign capital. But the Catalan bourgeoisie (along with the

Basque) has always been the most industrious in the land, and has been quick to take advantage of the opportunities offered. For them, also, this new-found wealth has meant an increase in self-confidence. And their sons and daughters at the University of Barcelona and the so-called Autonomous University (the name is a carry-over from before the war) have embraced Catalanism even more enthusiastically than their elders. Though the essential justice of their cause is, to me, self-evident, there is at times a racist element in their feelings. Catalans are the most "European-looking" people in Spain. Their coloration tends to be light, and they sometimes look upon other Spaniards much as Spaniards look upon Moroccans—as a semi-savage race somewhere between man and ape.

Along with the physical expansion in the last ten years has gone a rapid cultural transformation. Many of Catalonia's literary exiles, including such poets as "Pere Quart" (Joan Oliver) and Agustí Bartra, have returned. Restrictions on the publication of books have eased. Writers who were promising before 1939, like Salvador Espriu or Mercè Rodoreda, have come fully into their own. And a number of completely postwar figures like Terenci Moix, a young experimental novelist, or poets such as Pere Gimferrer and Gabriel Ferrater have emerged. Joaquim Molas and other critics have again tried to give Catalan writers a sense of their own special traditions and possibilities.

Nonetheless, censorship remains, and is not the less active for its arbitrariness. Books are cut and sometimes rejected for publication. The daily press, the cinema, and—most important—television, employ Castilian exclusively. In the schools, courses in Catalan language and literature are now more common, but all other subjects are still taught in Castilian. Thus, for the common folk—the lower middle class, the skilled workers, the peasants—Catalan is a language for private use only. For them change will be much more difficult than for the intellectuals. Yet it is to them that change must come if an independent Catalan culture is to survive. The government in Madrid still has scant sympathy for this part of Spain. In that respect, at least, it hasn't changed a bit since 1939. It is still determined that Castilian shall triumph, as is evident from its unpublicized attempts to discourage international recognition of Catalan culture. One can only hope that the spirit of this place, which since 1900 has given birth to a half-dozen major poets and to artists like Miró and Tàpies, will not succumb to the official policy of slow suffocation. □

What Am I Bid for

This Beautiful Princess?

ORIENTAL RUGS: A Comprehensive Guide. By Murray L. Eiland. New York Graphic Society. 196 pp. \$16.95.

BURTON BENDOW

Oriental rugs are still fondled and extolled and sold in the atmosphere of an Oriental bazaar. Auctioneers cry up what they call a Royal Sarouk or a Princess Bokhara. Dealers whisper that the fine weave of the Princess—so many hundred knots to the square inch—is not to be expected in the Afghan Bokhara, where coarseness is a sign of authenticity. Honest men flee to the library in search of peace and understanding. And writers on the subject do much to cut through the cant. It seems that Bokhara is merely the name of a city which served as a marketplace for rugs of the Turkoman tribes, and that the Princess was woven by women of the Tekke or the Yomud, women of no royal pretensions whatever.

Mr. Eiland carries this good work further. The Princess is a small rug meant to serve as a prayer mat or a tent door covering, made by many tribes in Turkestan, and properly called a Katchli (or "cross"); for it has a cruciform layout instead of the all-over pattern of repeated octagons common in larger rugs of this region. The Afghan is a vague term that "does not even mean that the rug was made in Afghanistan . . . there is no Turkoman tribe known under that name." The Mosul, the Cabistan, what are they? Magic carpets that have only a legendary existence, mere hawkers' cries to delude the innocent. And earlier authors were sometimes taken in. J. K. Mumford (*Oriental Rugs*; Scribners, 1900) assumes that Kazak rugs were made by Cossacks. "Kazak" means virtually rough rider. It describes the whole race of these restless, roaming, troublesome people who in a sense are born, live, and die in the saddle." Eiland comments: "What a pity that none of the ethnographic studies of this region bear out such impressions, although the Armenians who make most of these rugs have had an interesting history of their own."

If Eiland's predecessors occasionally went astray, it is because they were naturally interested in the most magnificent examples of the art—the palace carpets of the 16th century of which few survive and very little is known or

can be known. These are the rare antiques in the keeping of museums and millionaires. Eiland wisely restricts himself to rugs of the 19th and 20th centuries, semi-antiques as they are called in the trade, within reach of the collector with only \$1,000 to squander. And, since there are lots of them about, they can be sorted into groups, attributed to this tribe or that city, and dated or assigned a place in some historical sequence. Eiland is a mine of erudition on this subject; he knows much more than he can tell, even in so large and amply illustrated a volume. And he makes very clear what earlier writers only hint at or choose to ignore: that modern rugs are not direct descendants of the masterpieces woven under the Sefavids (or Safavids), when the Persian miniatures were painted and the classic poems composed, but are the products of a revival.

The defeat of the Sefavids in 1723 was a blow to Persian prosperity. (I mention only Persia here for the sake of brevity.) The palace rug factories ceased to function, the cities produced very little, but the handicraft survived in the villages and tribal camps. It was not until the 1860s that Persian merchants, especially those from Tabriz, discovered a market for these rugs in Europe and later in America. And, when their stock was exhausted, they scoured the countryside for more and made weaving for profit a daily occupation in the hills. In the towns they herded children into sweatshops and kept them fourteen hours a day looming beauty for Vienna, Berlin, London and New York to walk upon. The merchants of these great cities soon eliminated the middleman, and by the 1900s most of these factories were in the hands of German, British and American firms. But after the First World War and the breakup of the European colonial empires, the tide turned. Persians regained control of the trade. Persia suddenly called itself Iran and took on the airs of a modern Western state. Nomadic tribes were forcibly settled in villages, prevented from making their seasonal migrations in search of pasturage, and so became more dependent on the vagaries of the market. The market was affected by further European wars and

Burton Bendow is the author of a forthcoming book on the postwar Italian cinema, The Revolution Stops for Orangeade (Grosset and Dunlap).



THE INTERACTION OF LAW AND RELIGION

Harold J. Berman, professor of law at Harvard, discusses the separation of law and religion into different areas and how this is disastrous for the world today. He explores this problem and discovers enlightening answers for both the counter-culture and the establishment. The book consists of the Lowell Institute Lectures on Theology delivered at Boston University in 1971. These lectures are especially important today, because the truth in them can be more accurately assessed. \$4.95

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depressions. And though the government took steps to preserve what was at once a native industry, a source of revenue and a sop to the newly awakened national pride, the quality of weaving declined. Today the looms are still busy, but the work shows a sad falling off.

Modern rugs are thus an odd by-product of the Western conquest of the East and the consequent and still brewing revenge of the East on the West. The twain have met. And a history of modern weaving might constitute a chapter in Toynbee's survey of cultural collisions, or at least a footnote to his theory of "challenge and response." Under the circumstances, we might expect to find three broad classes of rug.

First, those rugs woven early in the game, or woven in outlying districts, and so free of the corrupting influences of the factory system and of Western taste. The Baluchi tribes, protected by a desert, still cling to their old geometrical formulas, according to Eiland. "In the late 19th century rugs from various tribes could still be distinguished by design, as each family wove a certain pattern and no other. During recent years, however, there has been much borrowing from one area to the next, with the demands of commerce determining what will be produced. Now . . . since World War II . . . the dyes are almost always synthetic. Designs have changed little, but the bright colors create an entirely different effect." And in the highland fastnesses, too, tradition died a slow death.

Second, there are those rugs designed to appeal to a Western eye, woven in city factories that were often owned by Westerners. The most extreme and successful example of this attempt to adopt a foreign idiom is the Indo-Savonnerie rug, which has a thick Chinese pile but is patterned after the Savonnerie carpets of France. (It was probably made by the French in Indochina, but I am not sure. Eiland does not deal with India or the Far East; he has enough to handle in the Near East.) At any rate, the result is French through and through—the demure roses and soft pastels suitable for a Louis XV salon. In Persia, however, native taste was too positive a thing to submit tamely to the demands of the drawing room, and it held out until the 1920s. The Sarouk and the Kashan do grow more floral and curvilinear from the 19th to the 20th century, but this cannot be attributed solely to foreign influence. Designers catering to the new luxury trade seem to have revived the old notion of a carpet as a luxuriant garden. Perhaps they were inspired by the floral antiques.

There is a thin line between these

rugs and those of the third class—those that deliberately imitate the achievements of the past. Almost all the more opulent city carpets make use of ancient forms or, to be more precise, forms that can be traced back to ancient sources. Patterns such as the Herati and the Mina Khani are really traditional forms handed down from generation to generation like the Baluchi patterns, for they show a gradual evolution from the antique. But in recent years the Institute of Design, established by the government at Teheran, has sponsored an academic revival. And the Isfahan and the Nain of today make a conscious attempt to reproduce the Sefavid classics—without much success. As part of a cheaper line, the Persians are now turning out crude copies of the old tribal rugs. These are woven in no reverent archaizing spirit, however. They are intended for the Westerner whose taste has changed and who favors geometrical designs and simple color schemes because they go well with modern décor.

Besides all this there is much that is entirely new and that has no discernible origin in folk custom or Western influence or the Sefavid past. The Boteh motif—a pine cone with the tip wilted and bent to one side—first appears in Kashmir shawls of the 18th century and then, in the 19th, spreads all over Persia and is employed in hundreds of different and novel ways. The demands of the market seem to have acted like whiskey, first as a stimulant and only later as a depressant. And the weaving of this period is so fertile in delightful inventions that it may well be accorded the dignity of a minor artistic movement. The three classes of rug that I have defined so sharply have no more real existence than the Afghan or the Cabistan. They are merely Platonic ideas of the three extreme positions possible in the historical circumstances—useful for purposes of exposition and useful, too, for showing up a certain want of ideas in Eiland's book.

Understandably impatient with ignorance, not to say fraudulence, Eiland will have nothing but the truth. He examines every rug with a magnifying glass to find out who did it and where and when. He goes into great detail about the various techniques of weaving because they persist as habits and so are very helpful in this sort of detective work, while patterns are apt to change with the fashion or be borrowed from outside sources. If he gives a full catalogue of Turkoman patterns (with forty-four photographs and forty-one sketches), it is because they are of the persistent traditional kind and can serve as clues. But he never asks, what are patterns

VERMONT

*That narrow sea.
A hard riptide.
The waves take centuries
to break.*

Philip Booth

for? Though obviously taken by the beauty he describes and labels, he never discusses it. His notion of what scholarship ought to be is that of the American research worker—an industrious compiling of facts. And the sort of criticism he anticipates is that some of his attributions may be challenged. He calls his book a "comprehensive guide," and as such it is invaluable. But it is not what the Germans would call an art history. It is full of acute remarks made in passing and fine discriminations that lead nowhere.

For example, in the sort of Kerman recently woven for American consumption, Eiland complains of broad expanses of subdued tone without pattern. But he does not go on to explain this as a radical betrayal of the Islamic ideal, which may be loosely defined as the breaking up of the surface into small patches of jewel-like color to give the shimmering effect of a mosaic. Nor does he tell how this pointillist method is worked out in earlier and better rugs—red on blue in the field as against blue on red in the medallion, let us say—to create tonalities like musical chords which both contrast and harmonize with one another. Again, he describes how the Boteh motif appears in city carpets, suave and rounded like a gourd; and how in the work of Baharlu tribesmen and certain Caucasian peoples it undergoes an intense geometrical elaboration. But he fails to say that this is but one instance of the general Islamic preference for abstraction, one more example of that willful stiffening of graceful scrolls and flowers into angular latch hooks and stars apparent in all tribal and provincial rugs. And this phenomenon he seems to regard as merely the result of primitive technique, whereas it is a vital principle of design. Even when animals are realistically portrayed to please the Western purchaser, the lion or the horse is repeated exactly as though it were a geometrical motif.

These observations of mine are so obvious as to be laughable. I am sure Eiland could make shrewder ones if he chose to—and if he were more familiar with current writing about the other arts and with modish speculations in the high aesthetic line. I have in mind those German formulations of artistic "problems" which call forth a variety

of "solutions," those French definitions of what constitutes a "style" and what it aims at, and the like. They may strike him as a bit pretentious and far-fetched; they often are. But they are tools for digging at the will behind the work of art, the motive that shaped it this way and not some other way. Only by such

digging and speculating can the Islamic weaver be raised from his present anonymity—the same anonymity which used to shroud medieval artisans before they were discovered to have names or at least characters—and revealed as artists faced with certain choices and bent on certain effects. □

first number in which twenty-nine writers were represented, sixteen have made more than one appearance in later issues. Turning to *American Review* #18, eleven of its twenty-six contributors have appeared in the magazine more than once. Now, half-old and half-new is a reasonable percentage, but to claim that *American Review's* readers do not know what to expect is off the mark.

The Perils of Progress

ROBERT LEITER

Paperback magazines sometimes meet with critical success but few find lasting commercial stability. *The Noble Savage*, *New World Writing*, *Discovery* and *Seven Arts* were skillfully edited, praised as godsend, but read by audiences too minimal to insure their survival. Surprisingly, several publications have held their ground: *Evergreen Review* and the *New Directions Anthologies* go on their anarchic ways, unaffected by lack of mass acceptance. Nineteen issues old, *American Review* (formerly *New American Review*) is the New York and campus-set sweetheart, the smash hit of paperback history. Early in its career, each issue of *American Review* was reviewed and praised, giving its publishers the needed incentive. Doubleday eventually countered with *Works in Progress*, the newest of paperback magazines, which has reached its eighth number almost without benefit of critical attention. Comparisons with *American Review* are inevitable; in that light *Works in Progress* can be justly evaluated.

In his first prefatory editorial, *American Review's* editor, Theodore Solotaroff, wrote that his magazine was to be patterned after the highly successful *New World Writing*. "Wishing to appeal to as large a readership as possible, [*New World Writing*] deliberately eschewed the tendencies toward cult and coterie by which literary magazines usually define their particular territory. . . . This . . . is the tradition that *New American Review* now renews." Solotaroff restated that aim in the second issue but with the third the "territory" began to look familiar. Philip Roth's "Civilization and Its Discontents" kicked off that number of the journal with a funny, pre-Portnoy dissertation on *shiksas*, Jews and self-abuse. But the story rang changes on Roth's earlier "The Jewish Blues," one of the stories

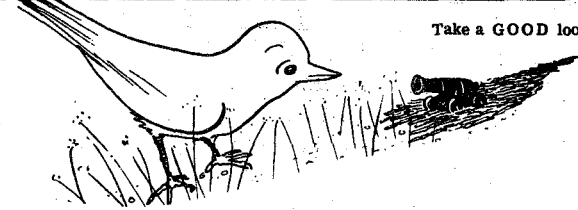
that had made the very first issue worth reading. Solotaroff saw trouble brewing, and did what he could to head it off with an editorial comment: "The objection may be raised that, for all our statements to the contrary, *New American Review* is already showing signs of becoming a coterie magazine. This is likely to be aggravated by the feeling that the content of [Roth's] story . . . is part of a vogue. . . . [but] in the end, the desire to publish the best writing we receive won out." The journal lasted ten issues under the patronage of the book publishing house, New American Library. For economic reasons, the magazine switched its publishers, going first to Simon and Schuster and then to Bantam Books. All the moving around did not alter Mr. Solotaroff's convictions. An ad in *The New York Review of Books* reworked his ideas into quotable bits: "With most magazines you sort of know what to expect. . . . Each issue is intended to be different, of course, but not too different, like your favorite armchair—comfortable, familiar, like your haunches, in a settled groove." And the show stopper: ". . . we continue to put out issues in which one out of every three contributors is a new name even to us." En- viable, but only partly accurate. Without belittling the importance of *American Review*, it is fair to cite figures that tell another story. Beginning with the

Works in Progress is in a sense an imitation of *American Review*, but with a decided difference evident in its statement of principle: "*Works in Progress* [is] a title which, we hope, is not only self-explanatory, but slightly elastic. . . . We are offering chapters . . . from books scheduled for future publication, a fragment of a novel that will never be completed, the notebooks of a dead author, and a character sketch that served as a guideline during the writing of a screenplay. For future issues, we hope to widen the concept . . . and present an exchange of letters about a proposed book between an author and agent, an author's outline for a new work, the research notes for a novel, perhaps even some sections cut from a book." In their wish to present "new" material, the editors of *Works in Progress* have succeeded. Of the seventeen writers represented in the first issue, two have appeared in later numbers. A total of eight writers have made more than one appearance. But the journal has other problems.

Works in Progress offered a unique concept. The readers were to encounter work in the rough, work yet to be refined before book publication. But the excitement waned with each issue. The fear of failure ruled out the appearance of truly "unfinished" work. The magazine presented only choice snippets of complete works previously accepted and awaiting publication: the selections were excellent, but one's interest was dampened by the sense of a chance not

Robert Leiter is a writer and critic living in Philadelphia.

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taken. *Works in Progress* was a misnomer.

Until the eighth issue, that is, for the best selections fulfill the early promise. The finest fiction appearing in Vol. VIII is Judith Rascoe's *Yours and Mine*, a novella that lends its title to the author's short fiction collection. The plot concerns a young California woman returning West after a failed love affair in New York City. The girl's family has weathered divorces and separations, leaving her apprehensive of personal relationships. A reunion with her brother proves disastrous. She returns East, and the story ends as she ruminates upon the fate of animals affected by oil slicks along the West Coast (oil imagery acts as a strange unifying metaphor).

Now, a short story version had already appeared in Vol. VII. The two differ in ways which substantiate an old theory: short stories work by surprise, making points swiftly, revealing rather than developing. The short story crams a mass of detail into a minute space. The author stuffs her tale till the seams split. Yet she prepares for but does not present the brother-sister confrontation, leaving the story blunt-ended. The novella provides the necessary expansion. Rascoe uses the oil imagery as backdrop to the work's fragmented reality. The brother-sister confrontation is presented, giving the work momentum and a beautifully rounded form. Thus, Ms. Rascoe has taken the opportunity to "fail" before success, and *Works in Progress* has taken a step toward fulfilling its proposed goals.

Another notable item is Christopher Davis' *The Sun in Mid-Career*, a section of a "chronicle" novel yet to be published. The portion presented in *Works in Progress* has two parts: the first, set in the present, concerns Saul, who teaches creative writing at a small Ohio university, and his subsequent involvement in the campus repercussions over the Kent State tragedy. The time and setting then change; the year is 1901 and the immigrant couple we meet (Saul's ancestors) are preparing for their wedding ceremony. The movement from present to past, from contemplation to action, from memory to actuality is handled with ease and wit.

It is a pleasure to see Davis represented in the magazine. With each of his books—seven novels and one non-fiction work—a select group of critics has praised him but the general audience for fiction has not responded appropriately. Even within this framework of neglect, Davis has reached a fine peak of achievement with his novel, *A Peep into the Twentieth Century*. *The Sun in Mid-Career* may prove a greater blossom-

sing since it is an expansive work with a wide historical sweep.

The remaining works in volume eight vary in worth in direct proportion to how they fulfill the sense of being "in progress." Stanley Elkin's *The Condominium* is one of a collection of three interrelated novellas published as *Searches and Seizures*, and in its rambling, clumsy way is an amusing commentary on cherished Jewish beliefs. Brian Aldiss offers a lively reading of Mary Shelley's *Frankenstein* that serves as prelude to his study of science fiction. Arthur A. Cohen provides a portion from his fascinating, thickly mythological novel, *In the Days of Simon Stern*.

Without question, this is a wide-ranging collection. Why, then, has so little attention been paid to it? There are several possible explanations. *Works in Progress* is not always available in bookstores. In addition, the publication of the novels previewed in *Works in*

Progress often coincides with the publication of *Works in Progress* itself. There are few magazines or newspapers willing to review the same material twice. But the major problem stems from *American Review*. Although there is overlap between the magazines—Sylvia Plath, Ted Hughes, John Hawkes, L. Woiwode and Alan Lechuck have appeared in both—*Works in Progress* makes little effort to be trendy. *American Review's* major contributors—Roth, Gass, Barth and Coover—are among our best authors. Yet they are a single close-knit faction in a larger, unacknowledged literary landscape. *Works in Progress* presents a less flashy crowd; its contributors make up in talent for what they may lack in easily indistinguishable dazzle. The literary world is wide enough to contain two very different paperback magazines, and the critical world should acquiesce and welcome *Works in Progress* before it drifts into oblivion from sheer neglect. □

What Christians Do with History

GOD IS RED. By Vine Deloria. Grosset & Dunlap. 376 pp. \$7.95.

GEORGE H. FREIN

Dee Brown taught us to see the westward movement as the native American tribes saw it—looking not westward but eastward. We loved this change of historical perspective and felt wonderfully guilty for our past sins against the aborigines. We made *Bury My Heart at Wounded Knee* a best-seller because we love history. Religion is what Christians do with history.

Vine Deloria thinks religion is what people do with the present. He says we must take our stand *here and now*. We must change our perspective not for the sake of historical revision but as a means of religious conversion.

Essentially the conversion required is from time to space, from history to the land, from belief to experience. A religious conversion and its concurrent theological revolution is required of all Americans. From the Indian point of view, all Americans—believers and unbelievers, churchgoers and late sleepers, fundamentalists and secularists—are Christians with only negligible denominational differences: they all hold title

George Frein teaches in the Religious Studies Department at the University of North Dakota. He is writing a book about sacred places in America.

to American land, some of it sacred to the tribes, in the name of a European god whose theologians justified its conquest with the childish shallow doctrine of "discovery" (finders keepers).

Most literature dealing with native American peoples is either of poor quality or plays into the prevailing culture's neurotic insistence that its Indians be either dead or, if alive, picturesque. However, a number of books about Indian religion are an exception to this rule, and together with a revival of tribal religion they make it possible for Deloria to write a highly telling polemic against Christianity.

The core of *God Is Red* is a comparison of Christian and Indian beliefs about the nature of religion, creation, the meaning of history, the character of religious experience, death, human personality and community, and the role of religion in the contemporary world. The basic difference between the two religions is that one perceives the world in terms of time, the other in terms of space. Creation, for example, happened "then" for Christians but "here" for the tribes: "Christianity has traditionally appeared to place its major emphasis on creation as a specific event while Indian tribal religions could be said to consider creation as an ecosystem present in a definable place."

There was no fall from grace for the red man but neither was he given do-

minion over nature. Each species of creatures he thought of as "peoples" in the way that he thought of other tribes as peoples: "Equality is thus not simply a human attribute but a recognition of the creaturehood of all creation." Trees talk with one another and with the Indian. They talk to white people too, but white people do not listen.

For Christians, past events are the sources of the sacred. Tribal religion locates the holy in sacred hills, mountains, rivers, forests and lakes. Because of this contrast, and the history of white conquest and land exploitation, the Indian perceives the white man's estrangement from nature as the central theme of the Christian religion. The results, as Vine Deloria describes them, are a fear of death, an exaggerated sense of self-importance (with salvation understood apart from the community), the loss of a sense of home, and religion's inability to prevent the domination of life by economics.

White salvation does not lie in a conversion to Indian religion as one might be converted to Catholicism or Krishna consciousness. Unfortunately, tribal religion is nearly as prostrate as Indian life itself under the burden of European conquest and the subsequent history of broken treaties. Sacred lands have become National Parks and National Forests. Some are now atomic testing grounds. Even the sacred Black Hills have been desecrated by Gutzon Borglum's sculpture of the heads of four American Presidents. The tribes, too, have been moved away from their religious sources and educated to feel ill at ease at sacred rituals.

Indians as well as Christians will now find it enormously difficult to experience the sacred in the American landscape. But the native American tribes once knew, as virtually no Christians have ever known, that "Religion cannot be kept within the bounds of sermons and scriptures. It is a force in itself and calls for the integration of lands and peoples in harmonious unity." Religion requires listening to the trees, the animals and birds, and to "the voices of the places of the land."

Many readers will find fault with the Christian writers Deloria relies upon to describe the Christian faith, but they serve well enough. Other writers more in keeping with one's own Christian bias would no doubt serve Deloria's criticism just as well. Most readers will wish that less space had been given to the defects of Christianity and more to the religion of the land and its native peoples. But, after reading *God Is Red* it will be impossible to be content with

Indian history and romance. Deloria makes an irresistible case for reading *The Sacred Pipe*, *Black Elk Speaks*, *Lame Deer: Seeker of Visions*, and other sources of tribal religious wisdom as an aid to saving one's land and soul. □

THEATRE

HAROLD CLURMAN

Find Your Way Home by John Hopkins is a domestic triangle play with a difference. (Brooks Atkinson Theatre). Suppose a play were built around the following situation: a proper middle-class Englishwoman discovers that her husband is having an affair with a whore, and that the man is torn between his marital duty and an illicit attachment that exceeds that of a momentary aberration—in other words, that he proposes to live with the woman. Suppose further that the wife, despite grief and outrage at her husband's conduct, pleads with him not to abandon her and their children. We would have, then, a potentially interesting premise—or a banality. In *Find Your Way Home* the situation is complicated because the "whore" of the story is a young man. The play can thus be viewed as "sensational."

The wife's attitude in these circumstances is more complex because she is not only wounded by her husband's waywardness but disgusted by its direction. But, surprisingly enough, she quickly accommodates herself to the untoward turn of events. At first, she cannot believe that her husband really *loves* his male correspondent; then, regardless of the character of her husband's adultery, she wants him to return home, to remain her husband.

Alan Harrison (the husband) is an altogether ordinary businessman with all the customary prejudices of his class. But such is his infatuation for Julian (the boy) that he overcomes his own shock at Julian's promiscuity, perversities and possibly criminal acts. These, we are led to believe, are Julian's violent reactions to the older man's having abandoned him for a while. For Julian is truly enamored of Harrison. In the end Harrison gives up his wife and "finds his way home" to his lover. The last thing we hear as the curtain falls is Julian uttering the word "love" as he gazes fondly at Harrison. The play then is not so much *about* homosexuality, as it is a love story.

Two things create interest. One is that certain curious aspects of the bourgeois mentality are laid bare. Mrs. Harrison,

for example, is unable to imagine a permanent separation from a husband she is used to, resents, and has been protected by; she hangs on desperately through all the muddiness of her feelings about him. Though her husband is less well depicted, he still convinces us as a repressed personality, fanatically committed to his image of the correct English *paterfamilias*, a socially acceptable gentleman. He doesn't desire his wife and is irretrievably drawn to Julian, despite the latter's depravity—by which I do not mean his homosexuality.

The play, despite its palpable honesty, would not hold us through its three rather overlong acts if it were not extremely well performed, particularly by Michael Moriarty as Julian and by Jane Alexander as Mrs. Harrison. Moriarty plays his role with a pathos and tenderness which inform even his occasional bursts of ferocious violence. He appears debased not by his sexual nature but by his lack of moral stamina. He gives the impression of an object floating in the turbid stream of low life. Even with the streak of self-pity which his voice betrays throughout, Moriarty does not sentimentalize the character beyond the author's intention, but remains a sorry human being for whom we are still able to feel some compassion. It is a truly fine characterization which makes me eager to see this actor again in parts which call for a different manner.

Jane Alexander's task is still more difficult. She must appear so commonplace a housewife, so habitually and unprepossessingly frustrated, so plain without anything to redeem the plainness, that we sense the humdrum routine of her home and the life she has led with her stuffy husband. Miss Alex-

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ander is an attractive woman with a distinguished countenance but she conveys, without the least exaggeration (but with some help by way of make-up and a first-rate wig) her dilemma and its sad effect upon her. She too manages to earn our sympathy.

Lee Richardson, as the husband who is probably thoroughly competent and respectable in his business and yet is ignorant in every other vital respect, is also very good, as is John Ramsey, a frighteningly tough punk. Ed Sherin's direction is all it should be, and William Ritman's setting possesses a gloss that does not conceal the seediness so often found in third-rate London digs, the very air of which is rank with depression of spirit and physical neglect.

Yet for all its merits the play does not fulfill itself—except perhaps as “propaganda.” Its characters are essentially quite dull. It is possible for dull, even “unappetizing,” people to be fascinating in the theatre—and the cast, I repeat, manages to make them so—but a dimension that is beyond the merely understandable must be suggested. The play is in every way “explicit” (to use the cant term now current in reference to bold language and imagery), yet it does not tell us more than what we hear. It does not extend from “realism” to the *real*. There is intelligence in it, but hardly a truly living soul. Thus the “love” which is implied and declared fails to move us: we are obliged to assume its presence. □

shaping his own walking city, his own manufacturing procedures, his own political route, Safdie made his own mound of Habitat.

For Safdie, the pyramid shape is not simply arbitrary. It is probably the only one able to fulfill the aspirations embodied in the theme of the exhibition (and forthcoming book)—“For Everyone a Garden.” It is the piling of boxes that allows space for one roof to become the garden for the house above, that provides privacy with intimacy. Like futurist Paolo Soleri and others, Safdie adapts the utopian notion of height for greater density, greater community, less waste of the landscape. His going up is not the undifferentiated high-rise slab, however, but the more “humanistic” route of nature: the hill.

Of course, Safdie's ideas are not new: his bubble roofs, arched doorways, circles, are familiar. The chamber capsule, reproduced here by O'Malley Associates at—to my mind—an awkward $\frac{3}{8}$ scale, is not a novel pod. The urge to reproduce the vernacular forms of pueblo or hill city is familiar. And Safdie's plea for new housing to resemble old Middle East tiled walls “where every object is beautifully integrated” is simply the Bauhaus via Arabia. The words that bombard the visitor to the exhibition, both in texts and in three televised segments from the architect, are worth saying—about the myths of low-cost housing, about separation of vehicles and pedestrians, about the need for privacy (not always realized at Montreal's Habitat) and community, about blending the new and the old. These words are right and reassuring and almost lulling *simpático*, but they are not new.

Perhaps the novelty is Safdie's rare integration of architectural roles. He is an architect at home with the visual, the verbal and the written. The televised dialogue of the curly-haired architect, sleeves rolled, pleading the new-town-in-town for Maryland, shows his adroit blend of enthusiasm and attention. His book, *Beyond Habitat* (M.I.T. Press, now in paperback) clips along with a frenetic but lucid prose. If the new book based on the exhibition merely repeats the maxim—“to design buildings that would look as if they had always been there”—it deserves best-seller status.

And yet, within the profession of architecture, Safdie seems slightly suspect. It may be a legitimate suspicion of the engineer besting the world with his concrete boxes, but not reckoning with the whipping winds of the St. Lawrence River at Montreal. It may be his youth (the whirling dervish of Montreal and Haifa is still only 35) and fame. Or it

ARCHITECTURE / JANE HOLTZ KAY

Moshe Safdie's habitat is the hill. In a way, the architect reinvented it. Most people recall how Safdie designed Montreal's Habitat, the still-enduring prefabricated cluster of apartments at Expo '67. Some know he later repackaged Habitat for Puerto Rico and that, soon, another Habitat for 12,000 people will begin ground-breaking near Baltimore. But it is the technical means and not the end of Safdie's architecture that preoccupies people—and, despite disclaimers, sometimes seems to preoccupy Safdie himself. The young Israeli architect talks and writes of systems of building, of construction processes; he springs from design to the more grandiose “transportation, three-dimensional planning and growth pattern” quicker than you can say “mass production.”

Yet, as the exhibition at New York's Jewish Museum (through March 17, and thence to Iowa and Ottawa museums) shows, Safdie's claim to design fame is really as a hill maker and not the administrator of Flash Gordon procedures for maxi-cranes to make mini-cities. Too often, these do not rise. Indeed, with mass production distressing even the auto industry and with factory housing for Operation Breakthrough reportedly failing HUD, handcrafted building may have a brighter future in the United States than the industrially produced sort. Though that is not enough for the architect or even for contemporary architecture as a whole, a view of Safdie's work as design is still something. The sponsoring National Endowment for the Arts and the organizing Baltimore Museum of Art have done well to show it.

Perhaps hive builder—with its

sense of community, its image of nesting—might be a better word than hill maker to describe Safdie's procedures. “I feel at home here,” Safdie has said of his native Haifa. Haifa is the prototypical city shelved into a hill. Consciously or unconsciously, the visual impression of the sprawling exhibition is of mounded box homes. The models—whether for the aborted San Francisco State College Union or a Jerusalem Habitat—are Haifa revisited. A beautiful hill town meandering up from the sea, sloping like a natural pyramid, Haifa's square houses grow from the site between the pines and the sea like a cubist dream come true. Safdie's dream.

Cold Spring, Maryland, will also use a hill elegantly; or so it appears from the model. The project slots its pointed roof boxes into the Cold Spring quarry. There is drama in the spectacular site; and to it Safdie brings his gifted siting, a kind of evolution-in-an-instant. “I attempted to design buildings that would look as though they had always been there,” Safdie's voice comes through one of the six television sets. Cold Spring's voice could also carry across the continent to hundreds of quarries whose natural beauties are despoiled as they become holes for garbage dumps.

Puerto Rico uses a hillside; so too, Safdie's design at Jerusalem's Western Wall tilts downward, hill-like. When nature neglects to oblige, Safdie simply creates his own slope. At Montreal's Habitat, the work that guaranteed his reputation as *enfant terrible* in his mid-20s, the terrain was flat: in addition to

Jane Holtz Kay writes regularly for *The Nation* on architecture.

may be that his reputation is tinged with the "taint" of publicity. For the same code of ethics that says a lawyer mustn't advertise nor a doctor stick out a neon shingle, says that architects must not engage in self-advertisement. This is farcical when one considers that the architects' competitors—developers, contractors, the construction industry, even the salesmen for lots in some Swamp-land, Florida—go blazing into print or billboard.

The novelty of an architect writing a popular and (heaven help us!) readable narrative smacked of publicity; his picture on the cover of *Newsweek* didn't help. More legitimately for his critics, some of Safdie's work, like a project for Manhattan, did founder in bureaucratic, political, union, or other difficulties. Meanwhile, most American viewers (this writer included) had only his words to read; for excepting Expo '67 and the projected Cold Spring, Safdie's projects have remained outside the normal travel pattern of Americans. One may warm to his words and his models as much as one warms to the delights of his Habitat; still, it is necessary to suspend the last word on his work.

What is apparent here, however, is that—for all the talk of "ego"—Safdie has what used to be called an Old World respect for the environment that should serve him well in the New World. He

may falter: there is his design for the commission of the Paris Cultural Center (1971), whose ground-level plan looks as chilly and uninviting as a highway underpass, and there is his reluctance to recognize that one choice may preclude another, the options of both "unobstructed mobility" and close community, for example. That the never-never-land between the old town and the new is still unresolved is brought out well in the show's televised debate about a "buffer" zone between old Baltimore and the new Cold Spring.

But whatever the predicaments of technology or the overinclusiveness of his planning philosophy, even the limited view of the present show confirms Safdie's talent. And his values. "To build in Jerusalem, in that most beautiful city, is almost an act of arrogance," he says. A profound and little recognized truth for all architecture. Besides serving its client, its site, its city, architecture does do violence to the *status quo*. That may be all to the good but, as Safdie says of the Holy City, it is an act of assertiveness, of confidence in the power and efficacy of one's design—"of arrogance." Safdie voices a fine environmental humility here. It is at odds with the popular image of the superstar of Habitat, but quite compatible with the show's visual image of the hill maker of Haifa. □

ART / Lawrence Alloway

Marcel Duchamp's celebrity comes in part from his having given up painting. Before paying the customary homage to what he gave it up for, we might consider him as a painter. Most of his work is on view at the Museum of Modern Art (until February 24) as part of a diligent retrospective. His early canvases are mild Impressionist landscapes (pulling back from chromatic brilliance) and subdued Fauve-ish figure paintings (the wild beast comes on as a pet). There follows a group of 1911 paintings in which he approached and then arrived at Cubism. Here he is interesting. To Picasso and Braque, Cubism entailed a reduction of subject matter in the interest of formal values. This approach was opposed by other Cubists who wanted to make more direct references to modern life (Delaunay and Léger) or to preserve the traditional eloquence of painting (Gleizes and, again, Delaunay).

Duchamp belongs with them in his interest in amplifying the subject matter of Cubism. His own areas of reference are familial and sexual. There are Cubist

paintings by him with references to his sisters making music and his brothers playing chess (to be understood respectively as references to art and to intellect). Duchamp's most completely developed Cubist painting, "Nude Descending a Staircase, 2," was rejected by Gleizes and other Cubists, partly it seems because of its subject. The nude as subject matter was identified with the *Salon*, with academic painting, whereas for Duchamp, as is clear from his later work, the nude seems to have been irreducibly sexual.

Only a few of Duchamp's paintings have much physical presence as objects. Most are small, refined and timid. The fullest paintings are "Nude Descending a Staircase, 2" (1912), "Network of Stoppages" (1914) and, especially, "Tum" (1918). My point is that Duchamp did not deny himself much by stopping painting. His crucial period, which can be dated exactly, is 1913-34. In 1913 he began the notes for a major work, a targeted masterpiece, which in time emerged as the painting on glass, "The Bride Stripped Bare by her Bachelors,

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Even," and he ceased work on it in 1923. However, the work cannot be regarded as completed until 1934, when he published the preparatory notes and sketches as *The Green Box*.

In the Box are facsimiles of ninety-three assorted scraps of paper concerning the Large Glass. Duchamp regarded the Glass and the Box as a pair, because "the conjunction of the two things entirely removes the retinal aspect [of the Glass] that I don't like." His hostility to "the retinal aspect" was an opposition to the visualist and sensory aspect of painting in which, as I suggest, he was weak. It is certain that the Glass needs the Box, though I am not certain that the Box needs the Glass. The Glass itself is like the booster rocket that gets a satellite off the ground but is jettisoned on arrival in orbit. Without the stimulus of the major work Duchamp would not have made the notes, but the notes rather than the (unfinished) glass carry his best ideas. Actually the Glass, which is at the Museum of Art in Philadelphia, and was not loaned to the Modern, looks rather diminished by comparison with the brilliant preparations for it.

After the publication of the Box there came a trickle of witty, unambitious pieces, until the secretly executed last work, "Given" (1944-66), which is, so to say, the Bride in the Age of Kienholz. Duchamp's anti-retinal art is usually at the scale of the bibliophile. What is hailed as anti-art is often more like the work of an artificer (one who is skillful or clever in devising ways of making things). He is a kind of mini-Daedalus in his later editions of graphics and objects. Their slightness as visual configurations and their banality of theme is clear at the Museum, where the late works

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OUR SONS, OUR SONS

*These huge, wet sons,
dripping from wives and tennis,
mauling our mail,
slamming our screen doors any time;
they think they own us.
For we are the dunes they climbed in their childhoods,
still itching between their toes.
We're the junk they found in the medicine chests
and the whites in the lies they told.
And we are their delicate deaths now,
yellow and trillium white,
blossoming on their lips, in their nostrils,
petting us all together;
us and our spinning boys
who dream we rock them in our arms tonight,
each boy in his secret, moonlit heap.
And each wife knows.
She knows.*

Martha Friedberg

have no more substance than the family-album photographs of the artist that are loyally scattered through the show.

The notes in the Green Box are of two sorts: one pile consists of iconographical and technical notes for the Glass; the other heap deals with a new kind of art object that Duchamp was devising, the readymade. The author of a recent study of "The Bride," John Golding, puts it like this: "These were his celebrated readymades; the objects which will perhaps prove to have been his most important contributions to the creation of a particular esthetic climate which has conditioned a very considerable amount of subsequent artistic production." The italics, mine, indicate what I take to be Golding's disapproval of this direction. He likes the Glass, which I think of as a pale and laborious extension of the tradition of History Painting, but does not like the concept of the readymade, which Duchamp developed at the same time. Richard Wollheim has described the innovation of the readymade like this: it "directly depends upon pre-existent material for its composition."

The first readymade was "Bicycle Wheel" (1913), followed by "Bottlerack" (1914), but the best known is "Fountain" (1917), a urinal turned 90 degrees and exhibited as sculpture. Not only did Duchamp introduce the readymade, he devised works of art that were entirely verbal but without becoming literature. For instance he wrote a note in 1916: "find inscription for Woolworth Building as readymade." By titling the building Duchamp would have assigned it to the category of art, just as the act of decision could assign a mass-produced object to this category. I take it as indisputable

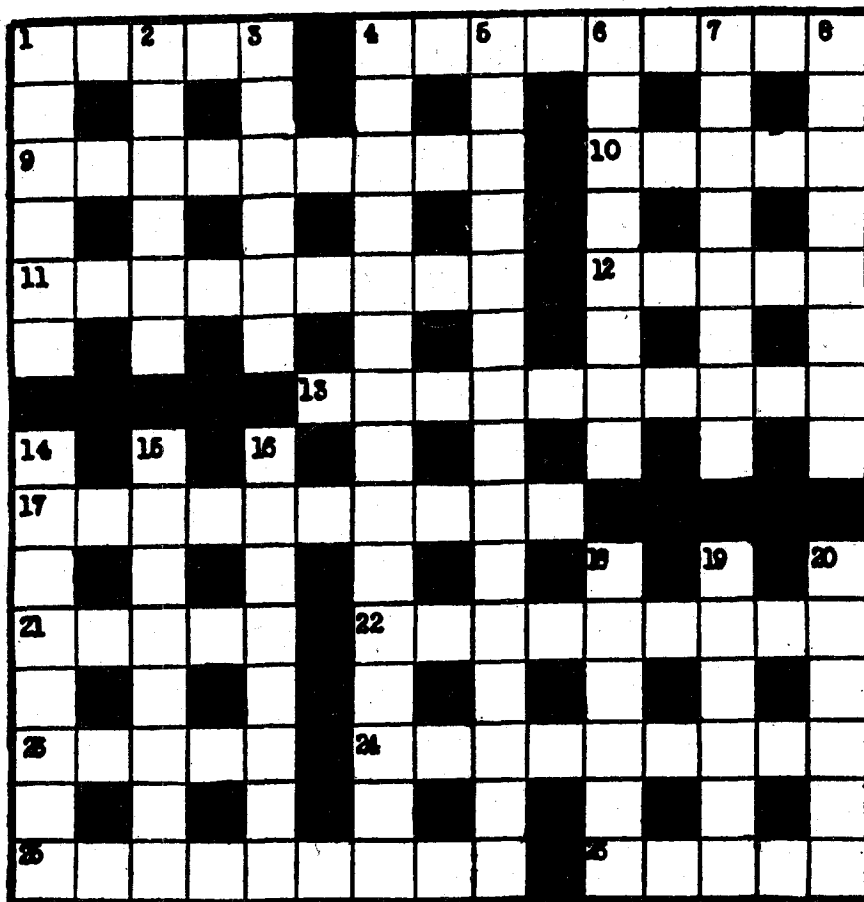
that Duchamp's work of this period, speculative and experimental, introduced ideas that have proved exceptionally developable by other artists, either as a result of direct influence or of parallel discovery.

However the extraordinary quality of Duchamp in the 1913-23 period is used to give luster to his mild early works and to give profundity to his facetious later work. The later pieces are occasional in nature and usually no more than variants of earlier ideas. There are magazine and catalogue cover designs, among them a rejected cover for *Vogue*, and a shaved Mona Lisa—i.e., the Mona Lisa without the beard and mustache Duchamp added in 1919. It's not a bad gag but it is entirely without the bite and complexity he was capable of earlier.

The book published on the occasion of the show (too late for Philadelphia where the show started, but in time for New York) is in two parts: there is a collection of articles and a reprise, more or less, of Arturo Schwarz's catalogue of *The Complete Works of Marcel Duchamp* (1969). On the whole, the articles maintain a tone of tedious eulogy. On the other hand, if you don't have Schwarz's catalogue (it costs \$50) you can have this handy version for half the price. The Duchamp market is really booming. If you can't afford Schwarz's edition of Duchamp's writings, *Notes and Projects for the Large Glass* (which costs \$35), there is *Salt Seller: The Writings of Marcel Duchamp* (Oxford University Press) for \$10.95. It is good that all this material is available in cheaper form, but it is high time for distinctions and evaluations. Duchamp is no longer the Duke of Windsor of art, but neither is he Michelangelo. □

Crossword Puzzle No. 1524

FRANK W. LEWIS



ACROSS

- 1 Perfect way for a wheeler to announce his business. (5)
- 4 A common disease carries that which might be applied to pain. (4,5)
- 9 I still can find a trace of it, though perhaps obscured. (9)
- 10 Drive to here without getting to act in the clinch. (5)
- 11 A square painter shows what might be saved for a splicing operation. (9)
- 12 See 14 down
- 13 An opening with this might imply you're rather well off. (6,4)
- 17 A fair location might be managed if you do, though a sailor wouldn't want to. (3,7)
- 21 Present if one were there, but not so old. (5)
- 22 A little French quartet for the enjoyment of the party-goer? (5,4)
- 23 Certainly not a common type. (5)
- 24 A hypotenuse, for example, shows where a little craft might be found. (9)
- 25 Not a true loch, typically, though one might lie in it. (9)
- 26 The place of a substitute in making (or breaking) dates? (5)

DOWN

- 1 Some of Stein's compositions, or possibly smaller pictures of them. (6)
- 2 One used to copy the way one traveled up about it. (6)
- 3 The French examination seems to be the newest thing. (6)
- 4 This is sometimes passed, but whatever

- you change to, police can tell. (10,5)
- 5 Evidently the majority didn't feel kindly to it, but you might have a feeling so unto a different organization. (6,2,7)
- 6 Evidently fairy hair isn't real, and no longer fashionable. (8)
- 7 One shouldn't imply there's any lack of rudeness in such, or that the military aren't involved. (5,3)
- 8 Put by when it's square in the ocean resort? (3,5)
- 14 and 12 across Sounds like photographic reproductions of sea monsters should be so titled. (6,2,5)
- 15 Somewhat giddy as the square dance ends. (2,1,5)
- 16 Wrong-age giver? Wrong! (8)
- 18 Either coaches or puts on plays. (6)
- 19 Obviously a beginner should show a lack of wrong-doing. (6)
- 20 A devil is about right for one close to you. (6)

SOLUTION TO PUZZLE NO. 1523

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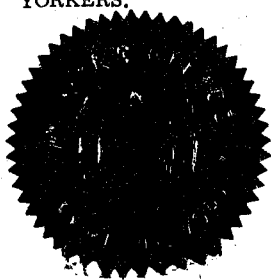
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